

DRAFT
DOE M 140.1-1C

Approved: XX-XX-06

INTERFACE WITH THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD



U.S. Department of Energy

**Office of the Departmental Representative to
the Defense Nuclear Facilities Safety Board**

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INITIATED BY:
Office of the Departmental Representative to
the Defense Nuclear Facilities Safety Board

INTERFACE WITH THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD

1. PURPOSE. This Manual presents the process the Department of Energy (Department) will use to interface with the Defense Nuclear Facilities Safety Board (Board) and its staff.
2. CANCELLATION. This Manual cancels DOE M 140.1-1B, INTERFACE WITH THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD, dated 3-30-2001. Cancellation of this Manual does not by itself modify or otherwise affect any contractual obligation to comply with the Manual. Contractor requirements documents (CRDs) that have been incorporated into or attached to a contract remain in effect until the contract is modified to either eliminate requirements that are no longer applicable or substitute a new set of requirements.
3. APPLICABILITY.
 - a. Departmental Elements. Except for exclusions in paragraph 3c, this Manual applies to all Departmental elements. (Go to <http://www.directives.doe.gov> for the current listing of Departmental elements.) This list automatically applies to all Departmental elements created after the Manual is issued.

The Administrator of the National Nuclear Security Administration will assure that NNSA employees and contractors comply with their respective responsibilities under this Manual. Nothing in this Manual shall be construed to interfere with the NNSA Administrator's authority under section 3212(3) of Public Law (P.L.) 106-65 to establish Administration-specific policies, unless disapproved by the Secretary.
 - b. DOE Contractors. Except for exclusions in paragraph 3c, the requirements in the Contractor Requirements Document (CRD) to this Manual apply to all Departmental contractors. The CRD will apply to the extent set forth in each contract.
 - c. Exclusions. This Manual does not apply to DOE elements whose activities are entirely outside the scope of the Defense Nuclear Facilities Safety Board.
4. REFERENCES.
 - a. Atomic Energy Act of 1954, Sections 311-321 (42 U.S.C. § 2286 – 2286i), Defense Nuclear Facilities Safety Board.
 - b. Defense Nuclear Facilities Safety Board Policy Statement PS-1, "Criteria for Judging the Adequacy of Department Responses and Implementation Plans for Board Recommendations," October 19, 1990.

- c. Privacy Act Overview, 5 U. S. C., Section 552a(b)(3). DOE System of Records, General Personnel Records, 55 *Federal Register* 3840, February 5, 1990. DOE System of Records, Personnel Radiation Records, 58 *Federal Register* 59246, November 8, 1993.
- 5. CONTACT. Questions concerning this Manual should be addressed to the Office of the Departmental Representative to the Defense Nuclear Facilities Safety Board, 202-586-3887.

BY ORDER OF THE SECRETARY OF ENERGY:

CLAY SELL
Deputy Secretary

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CHAPTER I. OVERVIEW

1. INTRODUCTION. This Manual presents the process the Department of Energy (Department) will use to interface with the Defense Nuclear Facilities Safety Board (Board) and its staff. The requirements and guidance in this Manual apply to Departmental personnel, including employees of the National Nuclear Security Administration (NNSA), who are to use this Manual to facilitate the quality and responsiveness of the Departmental interactions with the Board and its staff.

Attachment 1, Contractor Requirements Document (CRD), provides requirements that can be applied to contractors and subcontractors responsible for managing and operating Departmental facilities, as adapted to meet site-specific needs. Contractor compliance with the CRD will be required consistent with the conditions set forth in the controlling contract.

- a. The Board is an independent executive branch establishment responsible for providing advice and recommendations to the President and the Secretary of Energy (Secretary) regarding public health and safety issues at Departmental defense nuclear facilities.
 - (1) The Board was established by Congress in 1988 (see reference 4a) to perform the functions summarized below:
 - (a) review and evaluate the content and implementation of the standards relating to the design, construction, operation, and decommissioning of Departmental defense nuclear facilities (including applicable Departmental Orders, regulations, and requirements);
 - (b) investigate any event or practice at Departmental defense nuclear facilities that has adversely affected or may adversely affect public health and safety;
 - (c) analyze design and operational data, including safety analysis reports, from any Departmental defense nuclear facility;
 - (d) review the design and construction of a new Departmental defense nuclear facility and make recommendations considered necessary to protect public health and safety; and
 - (e) make such recommendations to the Secretary with respect to Departmental defense nuclear facilities, including operations of such facilities, standards, and research needs, as the Board determines are necessary to ensure adequate protection of public health and safety.

- (2) Defense nuclear facilities include production and utilization facilities, facilities involved in assembly, disassembly, and testing of weapons, and certain nuclear waste storage facilities.
 - (3) The Board's purview extends throughout the life cycle of jurisdictional facilities, from design, construction, and operation through decommissioning. The Board defines decommissioning to encompass activities leading up to environmental restoration, including deactivation, decontamination, final process runs, removal of special nuclear material, residues, and wastes, and other activities necessary to ensure adequate protection of public health and safety.
- b. The Board communicates with the Department through a variety of mechanisms including formal recommendations, formal reporting requirements, letters requesting action and information, letters providing suggestions, letters providing information such as staff issue reports and trip reports, Board and Board staff requests for information, public meetings, briefings and discussions, and site visits. The Board's choice of communication vehicle tends to indicate the level of the Board's concern, with the more formal vehicles used for clearly defined safety issues that require prompt attention by Departmental managers.
- c. The Department and the Board share the common goal of ensuring adequate protection of public and worker health and safety and the environment at Departmental defense nuclear facilities. To accomplish this goal, the Department's interface policy is to:
 - (1) fully cooperate with the Board;
 - (2) provide access to information necessary for the Board to accomplish its responsibilities;
 - (3) thoroughly consider the recommendations and other safety information provided by the Board;
 - (4) consistently meet commitments to the Board; and
 - (5) conduct interactions with the Board in accordance with the highest professional standards.
- d. The Board's responsibility is to provide high-quality, technically competent external advice by: reviewing and evaluating standards; conducting investigations; analyzing design and operational data; reviewing facility design and construction; and, making recommendations.
- e. The responsibility for the operation of the Department belongs to the Department and not the Board. The Department's line managers are responsible for carrying out the Department's mission in a safe, secure, and environmentally responsible

manner. This is entirely consistent with the Department's Integrated Safety Management program, Guiding Principle #1, Line Management Responsibility for Safety (see DOE P 450.4, Safety Management System Policy). Blurring the distinction between Department line management responsibilities and the responsibilities of external reviewers both reduces the independence and effectiveness of the Board and weakens the Department's line managers.

- f. The Department's line managers must decide to do what is right and accept responsibility for the outcome. These decisions should be risk-informed, not based on avoiding risks altogether. When Department managers appear to allow any outside group to make their decisions, these managers are not meeting their obligations and are abdicating their responsibility for safe and reliable mission accomplishment.
- g. In addition to meeting Departmental statutory obligations to provide full cooperation and access to information that is necessary for the Board to carry out its duties, Department line managers are also expected to be meticulous in observing commitments made to the Board unless and until they are formally changed. As such, the Department will provide the Board with clear evidence of completion of all committed actions.
- h. Department line managers are also expected to pay attention to the advice of the Board. Sound technical advice — both formal and informal — is always valuable, but line managers must never confuse advice with authority and accountability. Line managers are expected to make sound technical decisions, drawing on all available information, including advice and observations from the Board. Effectively using the Board's advice reinforces the Department's commitment to safety, emphasizing acceptance of safety responsibilities rather than hiding behind the judgment of others.
- i. Line managers are expected to be cautious when considering Board advice that appears to weaken line management responsibility and accountability, appears to contribute to micromanagement, may lead to unacceptably risk adverse behavior, or goes against the general approach that the Department identifies "what" needs to be done and the contractor community determines "how" it should be done.

2. RESPONSIBILITIES.

- a. Secretary of Energy.
 - (1) Provides full cooperation with the Board, including ready access to Departmental facilities, personnel, and information (see reference 4a).
 - (2) Responds to Board recommendations in accordance with the Board's enabling statute (see reference 4a).

- (3) Provides the Board with implementation plans for each accepted recommendation and approves any subsequent plan changes (see reference 4a).
- (4) Provides annual reports to Congress concerning Board-related activities of the Department (see reference 4a).

b. Deputy Secretary of Energy.

- (1) Ensures that Board issues are properly addressed within the Department
- (2) Resolves disagreements that cannot be otherwise resolved among Departmental elements, including relative priorities and approaches for addressing Board-related safety issues, and assignment of Responsible Managers and cognizant Secretarial Officer who will respond to a Board recommendation, Board correspondence, or other Board issue.

c. Secretarial Officers.

Note: Throughout this Manual, the term Secretarial Officer includes the Administrator and Deputy Administrators of the NNSA.

- (1) Consistent with guidance from the Deputy Secretary, implement the Department's policy with respect to the Board.
- (2) When designated as the cognizant Secretarial Officer responsible for responding to a Board recommendation, correspondence, or other Board issue, designate and empower a Responsible Manager to manage the associated planning, response, and implementation activities, consistent with guidance provided.
 - (a) The Responsible Manager needs to possess sufficient stature and authority to obtain the necessary commitments of action from the various organizations involved.
 - (b) A field element manager should be considered for recommendations that are limited to a single site; a Deputy Assistant Secretary or higher is more appropriate for recommendations with implications for multiple sites and organizations.
- (3) Support other Secretarial Officers designated as cognizant for responding to and implementing Board recommendations.
- (4) Designate and empower a single point of contact within their organizations to represent their organizations and work with the

Departmental Representative and the DR office staff in Board-related matters.

- (5) Periodically brief the Board members on significant safety activities and solicit their input and advice on safe operations.
- (6) Support Board review of safety directives and standards by identifying new and revised safety directives and standards to the Departmental Representative, and addressing Board comments when received.

d. Field Element Managers with Responsibility for Defense Nuclear Facilities (including Site Office Managers, Operations Office Managers, and Service Center Managers).

- (1) Designate a single point of contact with the authority to represent the field element and work with the Departmental Representative and the DR office staff in Board-related matters.
- (2) Using the appropriate contract vehicle, ensure contractors (management and operating contractors, weapons laboratory contractors, integrating contractors, environmental restoration and management contractors, etc.) acknowledge and implement their interface responsibilities as delineated in this Manual (see Attachment 1, Contractor Requirements Document).
- (3) Resolve conflicts between Departmental personnel and Board staff. If difficulty persists, notify the Departmental Representative.

e. Departmental Representative to the Board.

- (1) Represents the Secretary in regular and continuing interactions with the Board.
- (2) Advises the Secretary, Deputy Secretary, Secretarial Officers, and other Departmental officials on Board priorities, concerns, actions, and plans.
- (3) Manages Departmental interface activities and provides input and advice to line management on Board-related matters.
- (4) Coordinates with affected Secretarial Officers and, in consultation with affected Secretarial Officers, designates (with respect to the NNSA, recommends designation) a cognizant Secretarial Officer to respond to a Board recommendation, Board correspondence, or other Board issue.
- (5) Facilitates communication and cooperation between Departmental elements and the Board and its staff.

- (6) Reviews written communications to the Board (with the exception of responses to information requests) for consistency and responsiveness, and provides concurrence approval or disapproval (with respect to the NNSA, recommends changes to the Administrator).
- (7) Manages the Department's Safety Issues Management System for Board-related issues, commitments, and actions.
- (8) Maintains awareness of line implementation of Departmental commitments to the Board and takes appropriate action to focus line management attention on resolving the identified safety and management issues.
- (9) Prepares reports on Board-related activities for senior Departmental management, Congress, and the President.
- (10) Provides guidance and training on this Manual to Departmental points of contact and support personnel.
- (11) Maintains and distributes a listing of key Departmental personnel for Board-related activities.
- (12) Maintains the Department's central repository of official Board communications and makes this information available to Departmental personnel, contractor personnel, and the public.
- (13) Maintains a list of safety directives and standards of interest to the Board and facilitates Board review of and Department consideration of Board comments on Departmental directives, rules, and standards. (See also DOE M 251.1-1A, *Directives System Manual*, dated 1-30-98, and DOE Technical Standard Program Procedure DOE-TSPP-6, *Coordination of Technical Standards*.)

f. Responsible Managers.

- (1) For each Board recommendation or letter requesting action and for each Departmental commitment to the Board, manage the response, planning, implementation, tracking, and completion of the associated implementation plan, action request, and/or commitments.
- (2) Provide status updates to the Safety Issues Management System.
- (3) Prepare, coordinate, and transmit a completion package to the Board upon commitment completion.
- (4) Delegate day-to-day activities to a working level manager or technical lead, if desired.

- (5) Keep the cognizant Secretarial Officer informed of any issues that need senior management attention, and provide initial and periodic status briefings to affected senior managers on significant issues.
- (6) For cross-organizational issues, coordinate with the appropriate Headquarters and field managers in the other organization to implement the safety issue resolutions, consistent with the boundaries and authorities established by the controlling plan, commitment documents, or organizational memorandums of agreement.

g. Departmental Representative (DR) Issue Lead.

- (1) As a member of the Departmental Representative's staff assigned by the Departmental Representative to a specific Board recommendation, supports the designated Responsible Manager throughout the development and implementation of the Department's plan to resolve that recommendation.
- (2) Participates as a member of the response team by identifying related Departmental responses and commitments, providing input on the format and content of the Department's response and implementation plan, and evaluating adequacy and responsiveness to Board criteria.
- (3) Facilitates communications between the response team and the Board staff.
- (4) Supports the Departmental Representative in meetings with senior Departmental management for the purpose of developing the Department's strategy, resolving disagreements and conflicts, and conducting briefings and presentations.
- (5) Advises the Departmental Representative on concurrence with final implementation plans, commitment completion packages, and other written communications.
- (6) Supports the Responsible Manager on identification, tracking, and completion of associated commitments in the Safety Issues Management System.
- (7) Assists with Board issues defined by or associated with reports and correspondence other than Board recommendations, as assigned by the Departmental Representative.
- (8) Ensures that the Secretary's responses to Board recommendations are published in the *Federal Register* in a timely manner.

h. Points of Contact.

- (1) Represent their Secretarial Officers or field element managers on day-to-day Board-related issues and interactions with the Departmental Representative and the DR office staff, other Departmental elements, and the Board staff.
- (2) Be cognizant of, and coordinate, day-to-day Board-related activities within their purviews, such as:
 - (a) assigning responsibilities,
 - (b) coordinating review and concurrence,
 - (c) facilitating meetings and site visits,
 - (d) fulfilling information requests,
 - (e) identifying commitments made and actions taken during briefings and site visits,
 - (f) following up on commitments and actions to ensure satisfactory completion,
 - (g) ensuring adherence to this Manual,
 - (h) communicating and reporting to their management as requested on the status of significant Board actions,
 - (i) maintaining accurate status of assigned items on the Safety Issues Management System, and
 - (j) providing timely input to the Departmental Representative for the Department's Annual Report to Congress on Board-related Activities.
- (3) Support Responsible Managers in their organizations in responding to and implementing Board recommendations and other commitments.
- (4) Prepare, coordinate, and conduct Departmental activities to support site visits.
- (5) Be sufficiently knowledgeable of Board practices to advise their organizations and assist their management in interfaces with the Board and its staff.

i. Departmental Personnel.

- (1) Provide full cooperation with the Board, including:
 - (a) being courteous;
 - (b) being open, honest, and responsive;
 - (c) agreeing to no action items outside the immediate level of authority; and
 - (d) subsequent to any informal discussions or interactions with the Board or its staff, notifying the appropriate point of contact of the substantive information and actions discussed.
- (2) Promptly bring to the attention of local Departmental management any conflict that arises with Board staff personnel.

CHAPTER II. RECOMMENDATIONS AND RESPONSES

1. BOARD RECOMMENDATIONS.

- a. The Board issues recommendations to the Secretary on issues or circumstances it determines need to be resolved to ensure adequate protection of the public health and safety. The Secretary must respond to each Board recommendation within 45 days of its publication in the Federal Register.
- b. The Secretary may accept or reject a Board recommendation in whole or in part. Figure 1 provides an overview of the Board recommendation process (see reference 4a).

2. RESPONDING TO A RECOMMENDATION.

- a. When a Board recommendation is received, the Departmental Representative must coordinate with the affected Secretarial Officers to designate the cognizant Secretarial Officer. If necessary, the Deputy Secretary must resolve any disagreements regarding designation of the cognizant Secretarial Officer. The cognizant Secretarial Officer must oversee the development of the Department's response. If the recommendation is accepted, the cognizant Secretarial Office also must oversee development of the associated implementation plan and resolution of the applicable safety issues, through to the ultimate implementation and institutionalization of the accepted actions.
- b. The cognizant Secretarial Officer must designate a Responsible Manager, typically a Deputy Assistant Secretary or field element manager or equivalent, to manage development and implementation of an adequate response and, if necessary, an implementation plan for resolving the Board recommendation. The Responsible Manager should possess sufficient stature and authority to obtain the necessary commitments of action from the various organizations involved. A field element manager should be considered for recommendations that are limited to a single site; a Deputy Assistant Secretary or higher is more appropriate for recommendations with implications for multiple sites and organizations.
- c. In turn, the Responsible Manager may identify a technical lead to assist in coordinating response development and implementation planning. The selection of an appropriate Responsible Manager and an experienced technical lead with the necessary technical, communications, and management skills is key to the Department's success. The continuous commitment of the Responsible Manager and technical lead throughout the life of a recommendation has also proven to be important for effective Departmental interface with the Board.
- d. The Responsible Manager must establish a response team to support the development and implementation of the Department's response. Secretarial Offices and field elements that are expected to be major stakeholders in the

implementation plan should provide members for this team. The points of contact should assist the Responsible Manager in obtaining appropriate team participation from their respective organizations, including field representatives, as appropriate. Team participants must have the authority to speak for their management. The Responsible Manager should solicit early involvement of the Office of the General Counsel (and NNSA General Counsel, when an NNSA element is involved) to support the response team in addressing legal issues or procedural requirements. The Departmental Representative's office must designate an DR Issue Lead to support the Responsible Manager as a member of the response team.

- e. The response team should promptly begin development of the Department's response and the associated implementation plan, if one is expected to be necessary. To promote timeliness and responsiveness, affected Departmental elements should follow the process presented in Attachment 2 and summarized in Figure 2.
 - (1) The designated Responsible Manager should prepare an internal Department memorandum formally designating the Responsible Manager, requesting identification and support from response team members, and establishing an initial response target schedule.
 - (2) This memorandum should be approved by the lowest level common manager over all response team members, typically the Deputy Secretary.
- f. The response team must, as a minimum, address the following topics:
 - (1) significant safety issues associated with the recommendation,
 - (2) the extent and significance of the safety issues to be addressed,
 - (3) underlying causes and implications of these issues,
 - (4) existing programs and activities that can be built upon,
 - (5) strategic input from affected Departmental elements,
 - (6) public comments forwarded from the Board,
 - (7) costs and benefits associated with implementation, and
 - (8) the major impacts on ongoing Departmental programs and activities, including applicability to non-defense nuclear facilities.
- g. The response team should seek discussions with one or more Board members to fully understand the Board's views regarding the underlying safety issues and potential resolution approaches.

- h. Prior to seeking concurrence on the Secretary's response letter, the Responsible Manager must estimate the associated costs and contribution to safety and must brief Departmental senior management concerning this information.

3. ACCEPTING A RECOMMENDATION.

- a. If the Secretary accepts the recommendation, the Responsible Manager must prepare the Department's response letter which (see reference 4b):
 - (1) demonstrates an understanding of what is being recommended,
 - (2) commits the Department to take action to meet the recommendation within the context of the Department's acceptance,
 - (3) identifies the Responsible Manager by name, and
 - (4) identifies specific actions the Department intends to undertake so the Board can determine if the material terms of the recommendation will be met.
- b. The response team should not recommend unconditional acceptance of Board recommendations
- c. The response process is a time-driven one that may not always allow for complete consensus among the response team members.
 - (1) Where one or more response team members and their organizations disagree with the majority opinion on the path forward, a differing professional opinion should be prepared and included in the package for approval.
 - (2) To the extent possible and allowable within time constraints, the cognizant Secretarial Officer should fully understand the differing opinion and address it to the extent deemed appropriate before referring it to the Deputy Secretary for ultimate disposition.

4. REQUESTING A RESPONSE EXTENSION.

- a. If requested by the Secretary, the Board may grant additional time, not to exceed 45 days, for the Department to respond to the Board's recommendation. Requests for additional time should be reserved for exceptional circumstances (e.g., when a complex technical analysis is required prior to finalizing the Department's response).

- b. The Responsible Manager must initiate a request for additional time when it is clear that an adequate response cannot be completed within the initial 45 days. Regardless of when the request is transmitted, the extension begins after the initial 45 days has expired. The DR Issue Lead should support the Responsible Manager by coordinating this request.

5. REJECTING A RECOMMENDATION, IN WHOLE OR IN PART.

- a. The Secretary may reject a recommendation, in whole or in part. In rejecting any part of a Board recommendation, the response team must provide its technical basis in a briefing to the Department's senior managers, including affected Secretarial Officers, the cognizant Chief Technical Authorities, the Departmental Representative, the General Counsel, and the Deputy Secretary, prior to seeking Department concurrence on such a response.
- b. Before formally rejecting all or part of a Board recommendation, the cognizant Secretarial Officer and the Responsible Manager should brief one or more members of the Board on the Department's concerns. The purpose of this briefing is two-fold: (1) to make sure that the Department accurately understands the Board's recommendation and its basis, and (2) to effectively communicate the Department's position and basis to the Board.
- c. In rejecting all or part of a recommendation, the Department's response letter must identify substantive differences that the Department has with the recommendation. The Department should provide its own technical analysis of the safety issues involved, the extent of the condition, the relative significance of the condition, the underlying causes, and any ongoing actions that are expected to address the situation.
- d. If the Secretary rejects a recommendation in whole or in part, the Board is required to either reaffirm or revise the original recommendation, and notify the Secretary of its decision. The Board may accept the Department's response which rejects portions of a recommendation if, based on the Board's judgment, sound reasons are given for rejecting the recommendation and alternative means of protecting the public health and safety are specified (see reference 4b). After the Board revises or reaffirms its recommendation, the Secretary must provide a final decision to Congress within 30 days of notification of the Board's reaffirmation or revision.
- e. The cognizant Secretarial Officer must ensure that this final decision is reached and a final response is prepared for the Secretary's approval. This final response prepared by the cognizant Secretarial Officer must identify the parts of the recommendation that are accepted and rejected, and describe the reasons for the decision. The cognizant Secretarial Officer, the Responsible Manager, the

Departmental Representative, and response team members should perform the same roles in developing this final response as they performed in developing the initial response. The Department must publish the final decision in the Federal Register and also transmit it to the Speaker of the House of Representatives, and to the Senate Committees on Armed Services and Appropriations (see reference 4a).

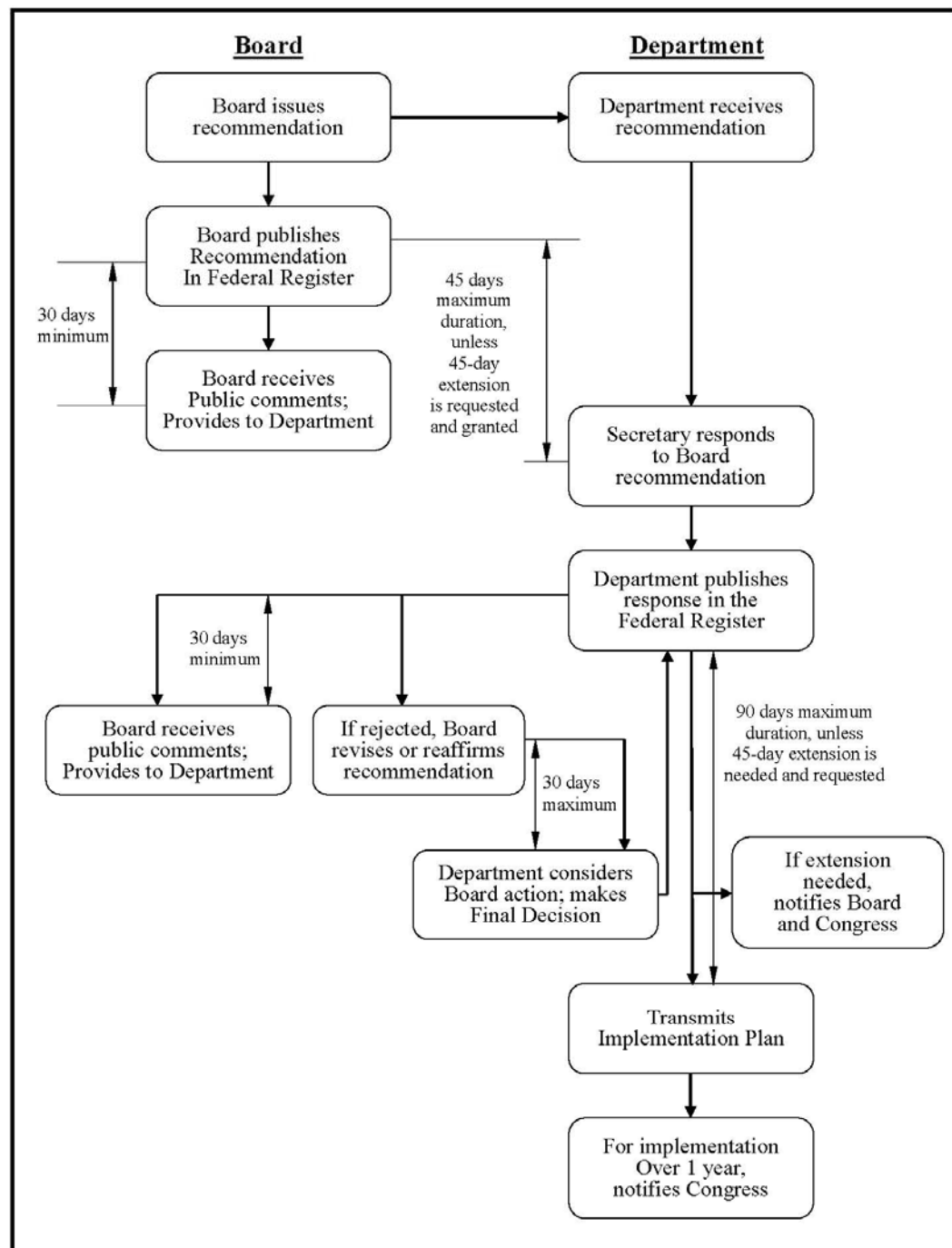


Figure 1. Recommendation Process Overview.

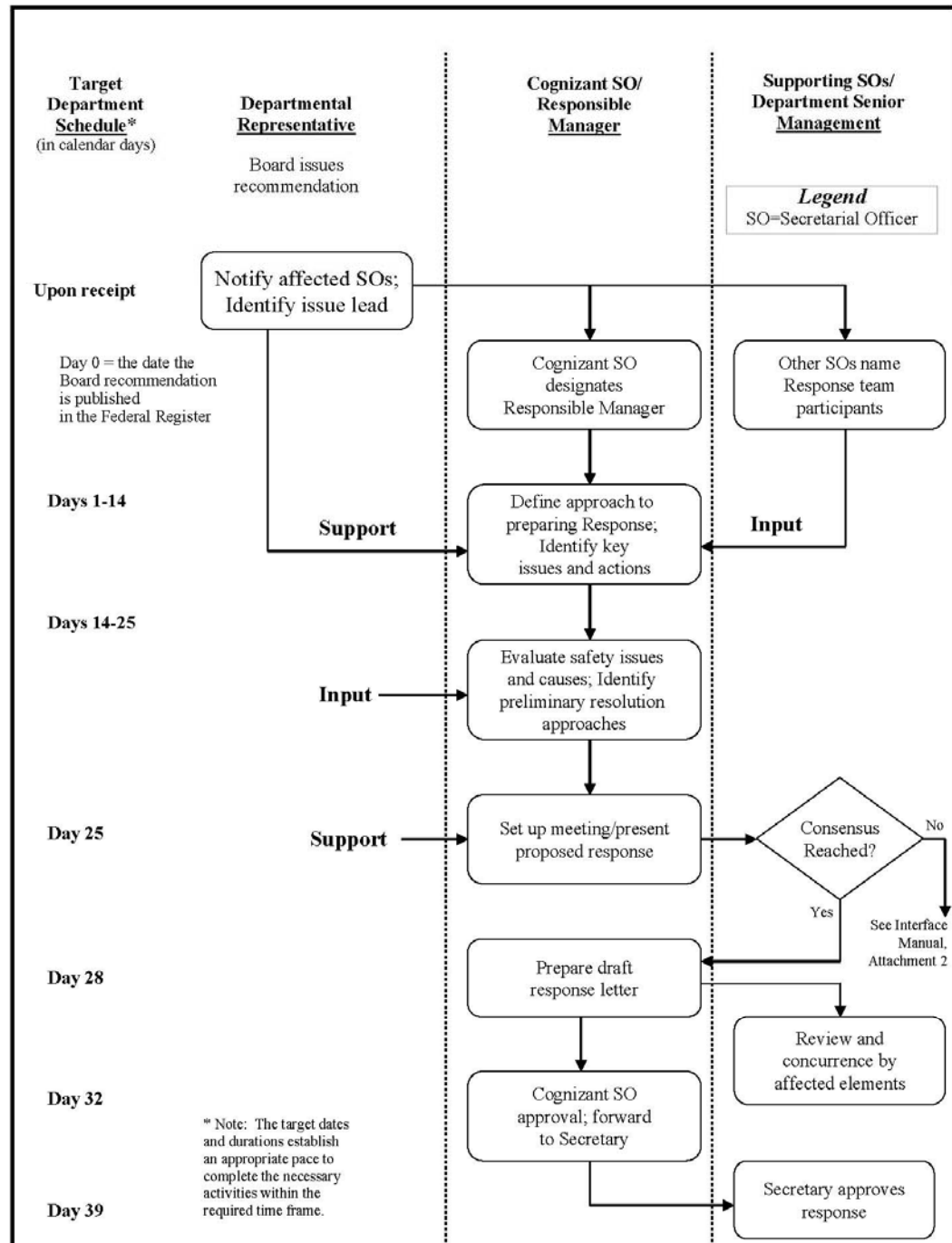


Figure 2. Department Response Process Overview.

CHAPTER III. IMPLEMENTATION PLANNING

1. IMPLEMENTATION PLAN DEVELOPMENT. The Secretary must provide an implementation plan to the Board within 90 days of the date the Secretary's acceptance of the recommendation is published in the *Federal Register* (see Chapter I, paragraph 2a). The response team should begin implementation plan development (Figure 3) immediately after the recommendation is received and conduct plan development in parallel with development of the Department's response. The cognizant Secretarial Officer, Responsible Manager, and response team that developed the Department's response should develop the associated implementation plan.
 - a. Team Leadership.
 - (1) Regardless of whether coordination of implementation planning is delegated to a technical lead, the Responsible Manager must maintain clear sponsorship and open communications with the response team and should engage in the development process by interacting with the team, reviewing progress, ensuring adequate technical basis, making key decisions, describing the Department's analysis and approach to the Board and its staff, and keeping the cognizant Secretarial Officer informed.
 - (2) The Responsible Manager should also ensure that the implementation plan is complete, responsive, and achievable and that the resource impact of the implementation plan is understood, acceptable, and consistent with the associated safety improvement.
 - b. Internal Coordination.
 - (1) Organizations that have an interest in the outcome of an implementation plan should be identified by the Responsible Manager early in the development process and should be included in or represented on the response team and be kept fully informed of the team's activities.
 - (2) Response team members should possess the necessary technical background and skills to effectively develop the implementation plan.
 - (3) The response team should also include representatives of the implementing organizations, including line managers and field representatives if applicable.
 - (4) To ensure effective coordination, the Responsible Manager should prepare early in the process a schedule for plan development that identifies milestones and responsibilities, identify Departmental resources that will be required for developing the implementation plan (such as travel funds), and use periodic status reports to keep everyone informed of progress, upcoming activities, action items, and responsibilities.

- (5) As requested, the affected points of contact should assist the Responsible Manager and response team, by coordinating review and comment, comment resolution, and concurrence within their respective organizations. Response team members must accurately represent their organizations and its positions, and raise issues and concerns early in the process so that they can be addressed.
- (6) The response team should meet frequently to ensure effective progress in developing the implementation plan. Team participants should be prepared to represent the views of their respective organizations. As necessary, the Responsible Manager should ensure that meetings include participation by the appropriate managers to obtain decisions on resolution approaches, responsibilities, and schedules. As an organizational change effort, implementation planning requires—
 - (a) development of a clear case for action,
 - (b) establishment of a coalition of key players to lead the action, and
 - (c) formation of a clear vision of the objectives and path forward, and repeated communication and articulation of the vision through a variety of means to the parties involved.
- (7) A primary objective of the response team is to obtain the buy-in, ownership and commitment of resources from the affected organizations to fulfill their portions of the implementation plan.
- (8) Periodic briefings to senior Department management are essential to establish and maintain buy-in, ownership and commitment of needed Department resources, both during the plan development phase and during the implementation phase.

c. Development of Resolution Approaches.

- (1) In developing the Department's implementation plan, the response team must gain a thorough understanding of—
 - (a) the safety issues,
 - (b) the extent of
 - (c) the condition,
 - (d) the significance of the condition (that is, identification and characterization of the safety consequences, using risk analysis or other techniques), and

- (e) the underlying causes of the issues.
- (2) The response team should use the Board recommendation and any associated Board reports as a starting point for this understanding, but must reach its own conclusions, based on its own analysis. This foundation of thorough technical understanding is necessary to support development of a complete and accurate approach to resolve the issues.
- (3) As needed, the response team should seek expertise from personnel with necessary background and training for performing technical analyses such as causal analyses, extent of condition analyses, and significance analyses.
- (4) The team should develop potential resolution approaches that address the identified underlying causes, and the extent and significance of the condition.
- (5) In developing potential resolution alternatives, the response team should build on existing programs and activities and develop alternate ones only when necessary. For example, improved oversight and assessment against existing requirements should be preferred over creation of new and additional requirements, where existing requirements are generally adequate.
- (6) Implementation plans should identify actions necessary for full and final resolution of the identified safety issues, and validation that the corrective actions are effective; encompass those actions necessary to prevent recurrence by addressing the underlying causes; and encompass those actions necessary to effectively institutionalize the issue resolution actions so that the Department senior managers can have confidence that the resolutions will remain in place and fulfill the function.
- (7) Resolution of an issue (i.e., completion of all actions identified in the implementation plan) should result in tangible improvement to safety within the Departmental defense nuclear facilities complex. The goal of resolution within 1 year, based on the expectations of Congress in establishing the Board (see reference 4a), should be pursued by the Responsible Manager for recommendations that are narrowly focused and affect only one site and one Headquarters office. Recommendations that involve major systemic changes, multiple Headquarters offices, and multiple sites often require more than 1 year for resolution. The Responsible Manager should decide whether or not to meet the 1-year goal for full resolution.
- (8) Implementation plans should include a planned, mid-course review focused on ensuring that the plan is efficiently and effectively resolving the original safety issues. If course corrections or implementation plan

revisions are needed as a result of this review, the Responsible Manager will pursue the necessary actions.

- (9) The implementation planning process is a time-driven one that may not always allow for complete consensus among the planning team members.
 - (a) Where one or more team members, and their organizations, disagree with the majority opinion on the path forward, a differing professional opinion should be prepared and included in the package for approval.
 - (b) To the extent possible and allowable within time constraints, the cognizant Secretarial Officer should fully understand the differing opinion and address it to the extent deemed appropriate before referring it to the Deputy Secretary for ultimate disposition.

d. Schedule, Cost, and Funding.

- (1) The response team must prepare a planning-quality schedule and cost estimate before submitting the plan for the Secretary's approval. To accomplish the schedule and cost estimate within the allotted time window, the response team should:
 - (a) begin development work as soon as possible,
 - (b) include a person with cost/schedule expertise,
 - (c) develop a reasonably accurate preliminary scope of work early in the 90-day window (see Figure 3).
- (2) Departmental senior management will need a planning-quality schedule and cost estimate (i.e., rough order-of-magnitude estimate) so that they can analyze the resource impact of the plan before committing to it. The cost estimate will also be used to assess cost-benefit and relative priorities among various potential safety improvements. The desired degree of accuracy for this planning estimate is minus 50 percent to plus 100 percent (see DOE G 430.1-1, COST ESTIMATING GUIDE, dated 3-28-97).
- (3) The response team, with the direction of the cognizant Secretarial Officer, must identify how the implementation plan will be funded.
 - (a) Resources will likely need to be reallocated to ensure funding during the initial phases of implementation; the sources of these resource reallocations must be identified by the affected Secretarial Officers.

- (b) Funding allocations beyond the initial phases of implementation need to be established by the affected Secretarial Officers through the Departmental budget process to ensure that sufficient resources will be available to meet the Secretary's commitment to the Board.
 - (c) Approval of fund transfers should be explicitly included in packages for implementation plan approval; obtaining approval of fund transfer at a later date is often more difficult and can delay implementation.
 - (4) The response team must brief the affected Department senior managers on the schedule, costs, and funding for the implementation plan. If the implementation plan actions are limited to one Secretarial Office, the briefing should be provided to the affected Secretarial Officer and the Departmental Representative. If actions involve multiple offices, the senior management briefing should include affected Secretarial Officers, the Departmental Representative, and the Deputy Secretary.
- e. Interaction with the Board and its Staff.
- (1) The response team should interact with the Board and its staff during implementation plan development to the extent necessary to fully understand the Board's recommendation and its bases.
 - (2) The Responsible Manager should focus early discussions on gaining a full understanding of the recommendation's content and intent, and avoid discussing the Department's planned resolution approach until the Department has developed an adequate framework and basis for resolution of identified safety issues.
 - (3) The response team may request the advice of the Board or its staff on whether proposed resolution alternatives satisfy the intent of a recommendation. The response team should not request the Board to define or select resolution alternatives. The Board and its staff are not part of the Department's decision-making process, and should not be invited to become part of it. Department ownership of implementation plans is essential for successful resolution of safety issues.
 - (4) The response team should provide the Board and its staff with at least one opportunity to review draft plan information during the development process. The focus of interaction with the Board staff is on exchange of technical information regarding the intent of the recommendation, its underlying causes, its extent and significance, and the efficacy of proposed resolution approaches. The response team does not negotiate with the Board staff on the content of implementation plans.

- (5) The Responsible Manager should participate in major interactions and be cognizant of all interactions with the Board or its staff. The DR Issue Lead should assist the Responsible Manager in arranging for and conducting interactions with the Board and its staff.
- (6) The DR Issue Lead should provide to the Responsible Manager and response team with any public comments on the recommendation received via the Board in response to the Board's *Federal Register* notice.
- (7) Toward the close of the development period, the response team may seek closure with the Board staff regarding whether the Department's implementation plan accurately reflects the Board's understanding of the Board recommendation, the extent and significance of the condition, and the underlying causes. If such an indication is not obtained, the Responsible Manager should inform the cognizant Secretarial Officer so that interaction with one or more Board members can be arranged and a briefing on the Department's position provided.
- (8) When interactions with one or more of the Board members are desired, the Departmental Representative will support the cognizant Secretarial Officer in arranging for and conducting interactions at this level. The cognizant Secretarial Officer and Responsible Manager should brief the Board member or members on the Department's approach prior to finalization and formal transmittal of the implementation plan.

2. IMPLEMENTATION PLAN FORMAT AND CONTENT.

- a. The primary purpose of the implementation plan is to describe the appropriate actions and schedule for ensuring that the accepted recommendation is resolved. The Board uses the following six substantive criteria to judge the adequacy of an implementation plan (see reference 4b).
 - (1) Understanding. The implementation plan must show an understanding of the safety issues raised by the Board's recommendation.
 - (2) Responsiveness. The Department's planned course of action must address the elements of the Board recommendation that the Secretary accepted, and accomplish satisfactory resolution of the underlying safety issues and their causes.
 - (3) Assumptions. The important (engineering, technical, administrative, or legislative) baseline assumptions for successful plan implementation must be detailed.
 - (4) Planning Detail. The Department's approach to resolve the associated safety issues must be described in sufficient detail to permit the Board to

independently determine that the approach and schedule are reasonable and achievable.

- (5) Technical Basis. The Department's plan must be based on sound evaluation, including identification and resolution of the underlying causes.
- (6) Focus on Closure. The Department's plan must define completion deliverables for demonstrating safety issue resolution in a verifiable manner.

- b. Response teams should prepare implementation plans consistent with the Format and Content Guide provided in Attachment 3 to address these six substantive criteria. In some cases, exceptions and additions to this recommended format may be appropriate and are to be made on a case-by-case basis.

3. TRANSMITTAL OF IMPLEMENTATION PLANS. The implementation plan is a Secretarial commitment.

- a. The Responsible Manager must obtain final concurrence and approval of the implementation plan in accordance with established Departmental procedures.
- b. The points of contact should assist in expeditiously acquiring concurrence within their respective organizations.
- c. After the implementation plan is approved and signed by the Secretary, the Executive Secretariat will formally transmit it to the Board.
- d. As with other outgoing correspondence to the Board, the Departmental Representative's staff make copies of the transmitted implementation plan available to the affected Secretarial Officers, field element managers, and other affected organizations.

4. EXTENSION NOTIFICATION

- a. The Secretary may obtain one 45-day extension for transmittal of an implementation plan by notifying the Board, the Speaker of the House of Representatives, and the Senate Committees on Armed Services and Appropriations. These extension requests by the Secretary should be reserved for exceptional circumstances. If an extension is needed, the Responsible Manager, supported by the DR Issue Lead, should begin drafting a notification letter at least 30 days prior to the expiration of the original 90-day time period.
- b. The Responsible Manager must prepare the notification letter to provide the following information:
 - (1) the reasons for the delay,

- (2) the current status of the draft implementation plan, and
 - (3) the actions being taken by the Department to complete the implementation plan.
- c. The Responsible Manager, supported by the DR Issue Lead, should ensure that the notification letter is finalized and signed by the Secretary at least 2 weeks prior to expiration of the original time period.

5. BOARD ACCEPTANCE.

- a. The Board's practice is to review and formally accept or not accept each implementation plan transmitted from the Department (see reference 4b). If the Board does not accept an implementation plan, the Department will treat this as advice worthy of careful consideration and provide the Board a response to its advice indicating what actions, if any, the Department intends to take, along with the basis for its decisions. The Department must ultimately own the implementation plan and must make changes to the implementation plan if and only if the Department concludes that changes are prudent. If the Board does not accept an implementation plan, the cognizant Secretarial Officer must evaluate the Board's comments and develop a response to the Board regarding whether a revision to the Department's implementation plan is necessary.
- b. If the Department determines that a revision is necessary, the response letter should identify the scope of the planned revision, and when it will be completed. The cognizant Secretarial Officer may reactivate the implementation plan team for support in these actions. The cognizant Secretarial Officer may seek discussions with the Board to fully understand their concerns and the technical basis for their concerns. The cognizant Secretarial Officer must brief the Department's senior managers, including affected Secretarial Officers, the cognizant Chief Technical Authorities, the Departmental Representative, the General Counsel, and the Deputy Secretary on the Department's path forward and obtain a decision on whether a revision of the implementation plan will be prepared. Response actions will vary significantly depending on the content of the Board's observations. The cognizant Secretarial Officer, the Responsible Manager, and the Departmental Representative should establish the strategy, assignments, and timetable for the response actions.

6. PLAN IMPLEMENTATION.

- a. Because the Board's enabling legislation requires the Secretary to provide the Board with a copy of the Department's implementation plan, the Department will treat the actions described in the plan as commitments to the Board. The Responsible Manager must ensure that the associated safety issues are resolved as described in the implementation plan and that the associated commitments are

managed to completion. The Safety Issues Management System must be used as a tool to identify, track, and complete Departmental commitments to the Board. As committed actions are completed, the Responsible Manager must prepare a completion package and transmit this package to the Board.

- b. The Responsible Manager should periodically inform the various Department implementing elements and the Board regarding the status of plan implementation. The Responsible Manager should periodically brief the Department's senior management on the status of plan implementation. As needed, the Responsible Manager should also provide oral presentations, topical reports, and documents to the Board members to update them on implementation progress.
- c. The Responsible Manager should anticipate and manage implementation problems so that they have a minimum impact on plan commitment dates and apply schedule and cost performance monitoring techniques to improve management effectiveness during plan implementation. As a courtesy, the Responsible Manager and the DR Issue Lead should inform the cognizant Board staff member in advance of any planned milestone due dates that will be missed. The cognizant Secretarial Officer should periodically review implementation progress and assist in solving implementation problems.
- d. The Responsible Manager should ensure that sufficient funding and other necessary resources are available to satisfy the Departmental commitments contained in the implementation plan. If sufficient resources are not available, the Responsible Manager must notify the cognizant Secretarial Officer and the Departmental Representative to seek resolution. The Secretarial Officer, in consultation with the Departmental Representative, should evaluate relative priorities and resource availability and take appropriate steps to effect a resolution. Issues and disagreements over priorities and resources that cannot be resolved should be raised to the Deputy Secretary for resolution.
- e. For implementation plans involving cross-organizational activities, the Responsible Manager should consider establishing a formal vehicle, such as a memorandum of understanding, to define agreements on the budgeting process and responsibilities for out-year activities. The formal vehicle should ensure that: (1) the Secretarial commitments in the Department's implementation plan are met, (2) the Responsible Manager can oversee the availability and expenditure of funds sufficient to fulfill the implementation plan commitments, and (3) a stable, implementable, and enforceable funding structure is established within the current Departmental budget. This vehicle should be established before the next budget cycle is initiated, when Headquarters provides budget targets to field organizations (typically in November of each fiscal year). Such a vehicle may also be used to clarify the boundaries of authority and decision making conferred on the Responsible Manager and other key implementation leaders.

- f. The Responsible Manager should provide prior, written notification to the Board on the status of any implementation plan commitment that will not be completed by the planned milestone date. This written notification should describe—
 - (1) the reason(s) for the schedule variance to the Department's implementation plan,
 - (2) current actions underway to fulfill the commitment, and
 - (3) an estimated completion date.
- g. If commitment completion will be delayed by a substantial period (e.g., more than 3 months) from the committed due date, or if the approach to fulfilling the commitment has been or needs to be changed, the Responsible Manager should initiate a change to the Department's implementation plan and obtain Secretarial approval. Periodic reports may not be used to report changes to plan commitments unless these reports are approved by the Secretary.
- h. If the Department's implementation plan for an active Board recommendation is no longer valid or responsive, the Responsible Manager for that plan must aggressively pursue development of a valid plan.
- i. Responsible Managers should perform a mid-course review focused on ensuring that the plan is efficiently and effectively resolving the original safety issues. If the mid-course review identifies changes that are needed to the implementation plan or conduct of implementation, the Responsible Manager should vigorously pursue these changes.

7. REPORTING THAT IMPLEMENTATION IS IMPRACTICABLE.

- a. If the Secretary determines implementation of a recommendation is impracticable because of budgetary considerations or impact on the Secretary's ability to meet the Annual Nuclear Weapons Stockpile requirements, the Secretary must submit a report to the President of the United States, the Speaker of the House, and the Senate Committees on Armed Services and Appropriations, containing the recommendation and the Secretary's determination (see reference 4a).
- b. If such a report is required, the cognizant Secretarial Officer, supported by the Departmental Representative, must prepare this report. The cognizant Secretarial Officer should elevate concerns and issue this report within 60 days of a preliminary determination by the Secretarial Officer. The affected Secretarial Officers, the Departmental Representative, and the Office of the General Counsel must concur on the final report. The Departmental Representative must present the report to the Secretary through the Deputy Secretary for approval and transmittal to the President and Congress.

8. CHANGES TO IMPLEMENTATION PLANS.

- a. Changes to commitments, actions, or completion dates may be necessary due to additional information, improvements, or changes in baseline assumptions.
- b. The Responsible Manager should identify necessary changes and, with the support of the DR Issue Lead, bring to the attention of the Department's senior managers and the Board any substantive changes to an implementation plan as soon as identified. As a courtesy, the Responsible Manager and DR Issue Lead should notify the Board staff of any proposed changes to implementation plan commitments before making a formal transmittal to make sure that the technical scope and basis for the change are accurately communicated.
- c. Any revision to the scope or schedule of plan commitments must be approved by the Secretary (see reference 4a). Commitment revisions must be clearly identified and described by the Responsible Manager along with the basis for the revisions.
- d. Fundamental changes to the strategy, scope, or schedule of the plan must be prepared by the Responsible Manager and provided to the Board through formal revision and re-issuance of the implementation plan approved by the Secretary. Other changes to the scope or schedule of planned commitments must be prepared by the Responsible Manager and formally approved and transmitted in appropriate correspondence signed by the Secretary, along with the basis for the changes and appropriate corrective actions. Examples of this type of change include:
 - (1) a change in approach, based on new knowledge, that still fulfills the committed objective, scope, and schedule, but in a different manner than originally planned, or
 - (2) a change in intermediate milestone dates for a plan commitment for which the original plan commitment scope and ultimate completion date are preserved.
- e. The Responsible Manager should carefully consider the cumulative effect of the plan changes recorded through correspondence from the Department to the Board so that the fundamental approach, scope, and schedule of the plan are not altered; if these are altered in a fundamental way, the Responsible Manager must prepare a formal plan revision and re-issuance. In order to maintain the implementation plan as an accurate and useful management tool, no more than two plan changes should be approved and transmitted to the Board without a complete plan revision and re-issuance which incorporates the previously approved changes.
- f. Responsible Managers should prepare complete plan revisions/re-issuances of implementation plans consistent with the Format and Content Guide provided in Attachment 3. Completed actions that are still important to the resolution of the

original safety issue should be described and identified as actions already completed.

- g. The letter transmitting implementation plan revisions should describe the Department's intentions regarding existing commitments under the existing implementation plan, if previously accepted by the Board. Suggested text:

With transmittal of this revised plan, the Department will now focus its implementation efforts on the approach described herein, rather than that previously described and provided to the Board.

- h. The Department should take care in making changes to existing implementation plans that reverse the Secretary's original acceptance of the Board's recommendation. Such changes are possible but must be called explicitly to the attention of the Department's senior management and the Board. The preferred approach is to find new and different methods to implement the Secretary's acceptance. Only when this is deemed impracticable or unnecessary should the alternate course be pursued.
- i. Cognizant Secretarial Officers should address vacancies or changes in Responsible Manager positions within 30 days. For changes to the Department's Responsible Manager, a courtesy letter to the Board should be provided.

- 9. IMPLEMENTATION IN EXCESS OF 1 YEAR OF DURATION. The Secretary must submit a report to Congress if completion of activities described in the implementation plan requires longer than 1 year from the date it was transmitted to the Board (see reference 4a). The report must state the reasons for needing more than 1 year and when implementation will be completed. This reporting requirement normally should be met by the Responsible Manager by addressing it as part of the Department's Annual Report to Congress, when the Responsible Manager knows that implementation will require more than 1 year. If the Annual Report is not used for this notification, the Responsible Manager should prepare and submit this report to Congress prior to exceeding the 1-year period, if possible, and no later than 30 days following the end of the 1-year period.

10. COMPLETION OF IMPLEMENTATION PLANS.

- a. When the Department has completed all actions in an implementation plan, the Responsible Manager should lead an evaluation to determine whether the Department should conclude that the implementation plan is complete.
- b. In evaluating whether an implementation plan is complete, the Department should consider the effectiveness of Departmental actions to ensure the fundamental safety issues and their underlying causes have been adequately resolved, and the resolutions institutionalized such that a future recurrence of the subject safety concerns is unlikely.

- c. The Responsible Manager should consider the following factors in demonstrating institutionalization:
 - (1) Departmental line management ownership of the safety issue and actions for resolution;
 - (2) clearly defined roles and responsibilities;
 - (3) engagement and attention of senior Departmental managers, including affected Secretarial Officers and field element managers, on the issue;
 - (4) incorporation and integration of issue resolutions into standard practices, procedures and directives;
 - (5) continued funding at sufficient levels into the near future; and
 - (6) overall safety culture and mindset relative to the subject safety issue.
- d. The Responsible Manager may seek a second opinion from those not directly involved with implementation, such as from the independent oversight elements within the Office of Safety and Security Assurance.
- e. The Responsible Manager must identify lessons learned from the implementation plan experience, such as relevant lessons related to effective change management, technical issue resolution, and dealing with the Board. The Responsible Manager should also identify recommended changes to the Department's interfacing protocols based on the implementation experience. The Departmental Representative must retain identified lessons learned from Responsible Managers and use this material for future training.
- f. The Responsible Manager must brief the Department's senior managers including affected Secretarial Officers, cognizant Chief Technical Authorities, and the Departmental Representative, regarding the accomplishments and lessons learned from the implementation plan. The Responsible Manager should seek input from these managers regarding whether they believe the Department is ready to declare that the implementation plan is complete or whether additional actions are warranted.
- g. When all actions and commitments in an implementation plan are complete as reflected in the Department's Safety Issues Management System, and the Department's senior managers have been briefed and concur, the Responsible Manager should prepare a letter to the Board reporting the Department's conclusion that all Department actions are completed and the original safety issues have been resolved, and their resolutions have been effectively institutionalized.

- h. As a courtesy, this letter should be approved by the Secretary of Energy since the original recommendation was provided to the Secretary of Energy. The letter should include the following sentence or equivalent:

The Department has completed the commitments identified under its implementation plan for this recommendation, and has determined that Department actions related to this recommendation are now complete.

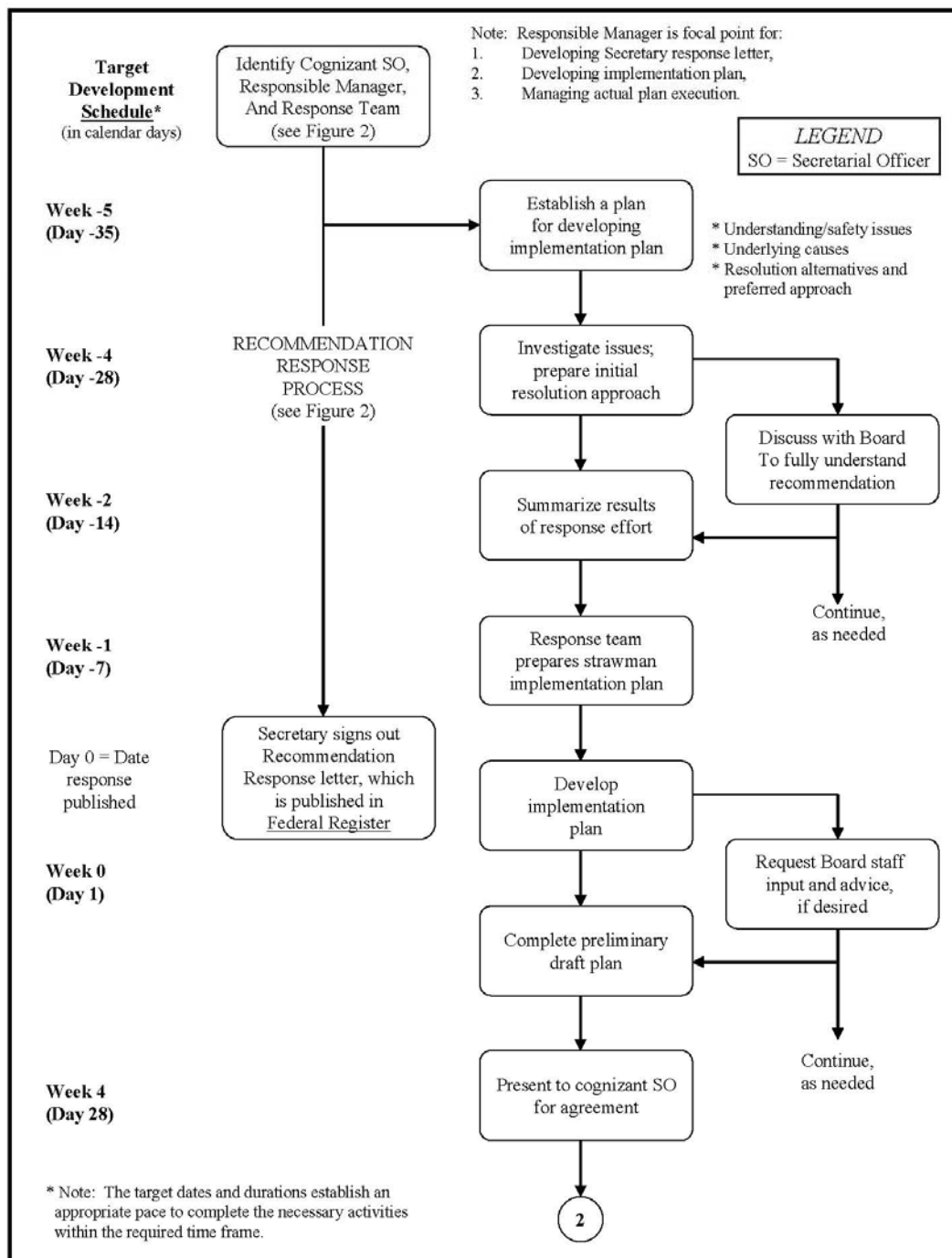


Figure 3. Implementation Planning Process Overview

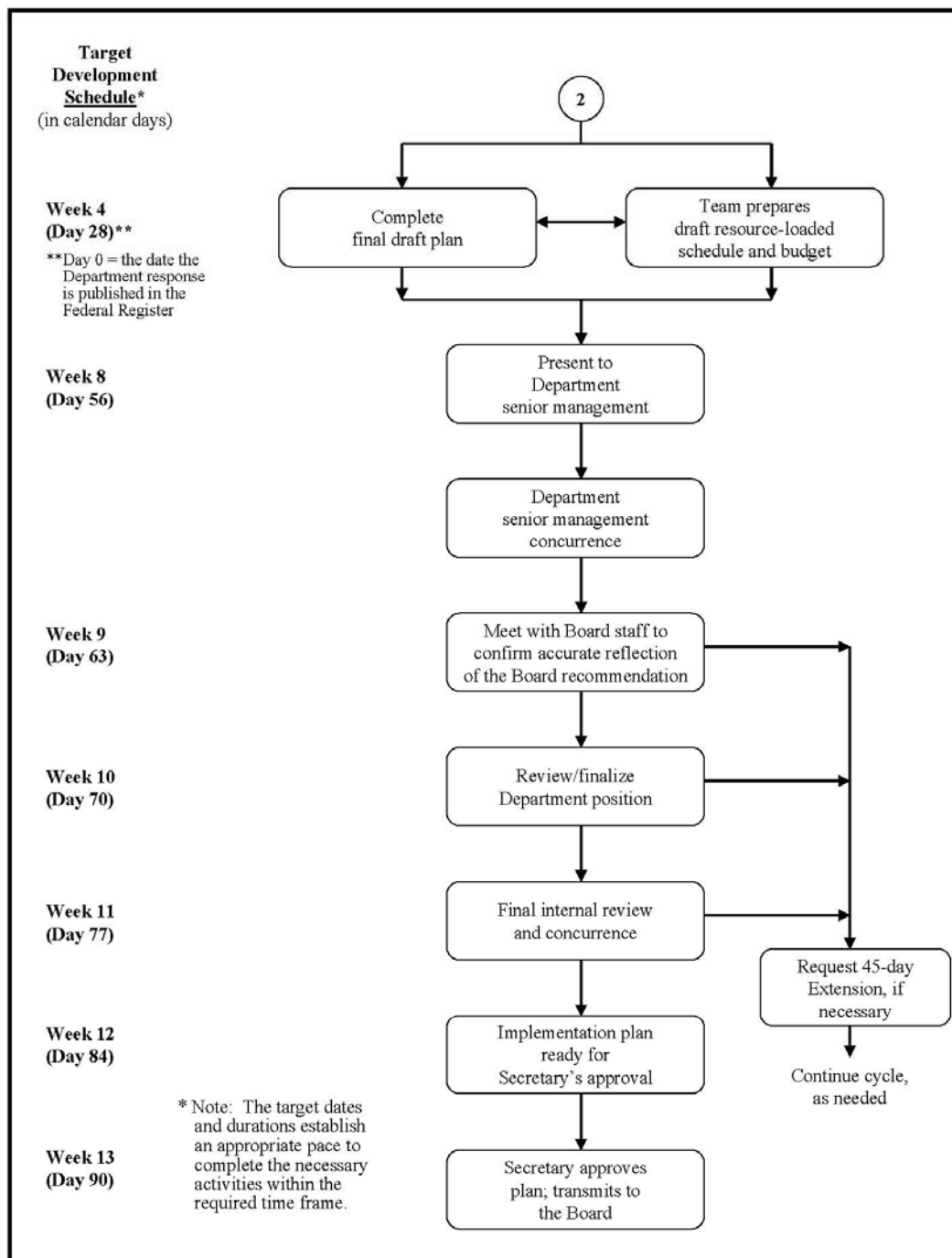


Figure 3. Implementation Planning Process Overview (continued)

CHAPTER IV. SAFETY ISSUES MANAGEMENT

1. IDENTIFYING SAFETY ISSUES. In analyzing Board recommendations and other Board letters and requests for action, the Responsible Manager should identify the salient safety issues being raised. Correct identification and formulation of the underlying safety issues establishes a framework to focus Departmental efforts. Full understanding and ownership of the safety issues involved, and their causes, are precursors to developing an effective, enduring resolution. By focusing on the underlying safety issues and their causes, the Department can more efficiently and effectively apply resources to achieving real safety improvements. The Department's Safety Issues Management System, managed and maintained by the Departmental Representative, is designed to facilitate line management efforts in managing and closing safety issues.
2. MAKING COMMITMENTS.
 - a. The Department establishes commitments in order to resolve identified safety issues. A commitment to the Board is defined as any documented obligation by the Secretary, or designee, that describes products to be delivered on a specified schedule. Only the Secretary, a Secretarial Officer, or a properly designated representative may make commitments to the Board. Departmental elements may agree to take actions within their authorities in response to Board requests and inquiries. These action items also need to be satisfied to maintain an effective working relationship with the Board; they must be tracked and managed at the Departmental level where the action items are undertaken.
 - b. The principal source of Departmental commitments is the implementation plans developed in response to Board recommendations. Because the Board's enabling legislation requires the Secretary to provide the Board with a copy of the Department's implementation plans, the Department will treat the actions described in the plans as commitments to the Board.
 - c. Commitments may also be made in other types of correspondence to the Board, such as responses to trip reports or responses to Board letters requesting Departmental action or information. Department correspondence to the Board that includes "will" statements will be considered source documents for commitments to the Board. In some cases, the Department has options for describing ongoing and planned activities, and can use alternate phrases such as "the Department plans to" or "the Department expects to." In other cases, the Department can provide verbal briefings on plans rather than written correspondence.
 - d. Additionally, documented Board requests taken for action are also considered commitments because it is the Department's policy to respond to such formal requests originating from the Board. Even if the Department ultimately disagrees

with a Board request, the Department will identify and track an open commitment to provide the Board with a reply describing the technical basis for the course being taken.

- e. Prior to authorizing new Departmental commitments in response to Board initiatives, the cognizant Secretarial Officer must consider the appropriateness and value derived. If new commitments are needed, preference should be given to building upon existing programs and activities rather than creating new programs and activities. The cognizant Secretarial Officer should designate a Responsible Manager to assist in assessing the need and formulating new commitments.
- f. The Responsible Manager must ensure that each newly proposed commitment is clearly delineated in its source document. The Responsible Manager should ensure that each commitment is uniquely numbered and includes the following information:
 - (1) a complete statement of the commitment;
 - (2) the manager responsible for implementing the commitment (i.e., Responsible Manager);
 - (3) applicable facilities and programs;
 - (4) implementing activities and deliverables (i.e., specific work products) to demonstrate completion; and
 - (5) specific due dates for those deliverables.
- g. As part of implementing assigned commitments, the designated Responsible Manager must provide status updates to the Safety Issues Management System and prepare a completion package upon commitment completion. For commitments related to a Board recommendation and the associated implementation plan, the designated Responsible Manager for the implementation plan must perform tracking and completion for all associated commitments. The Responsible Manager may designate a technical lead to assist in coordinating implementation, tracking, and completion.
- h. The following is an example of the desired presentation for commitments attached to outgoing correspondence to the Board.

Commitment #22

Commitment Statement: *Issue and implement expectations for DOE organizations regarding ISM implementation.*

Deliverable: *New DOE Manual on ISM, institutionalizing the DOE expectations, issued for use.*

Applicability: *All Departmental defense nuclear facilities and programs.*

Responsible Manager: *DOE ISM Champion.*

Due Date: *October 2006.*

- i. The Responsible Manager, with the support of the Departmental Representative staff, may describe the proposed commitments to the cognizant Board member or Board staff member prior to finalizing them to make sure that the Department's actions and technical bases are effectively communicated. The Responsible Manager must obtain appropriate Departmental concurrence and approval of outgoing correspondence containing commitments.

3. TRACKING COMMITMENTS.

- a. The Departmental Representative's staff should review implementation plans and incoming and outgoing correspondence containing commitments to identify each commitment and enter the corresponding commitment information into the Safety Issues Management System database. The Departmental Representative's staff should obtain the concurrence from the Responsible Manager that the commitment information has been correctly identified and entered.
- b. Before the end of each month, the Responsible Managers should provide an updated implementation status of assigned commitments by forwarding any changes to the corresponding DR Issue Lead. For overdue commitments, the Responsible Manager should provide the actions being taken to complete the commitment and the estimated completion schedule. The DR Issue Lead should review this updated information for completeness and accuracy and the Departmental Representative's staff will update the Safety Issues Management System database as requested. The Departmental Representative's staff will make these monthly updates available to Responsible Managers, points of contact, Secretarial Officers, and other interested Departmental elements. If a Responsible Manager does not provide a status report on assigned overdue commitments or does not make substantive progress in completing the plan's commitments, the Departmental Representative should escalate attention to the responsible Secretarial Officer for action.
- c. The Responsible Manager should anticipate and manage implementation problems so that they have a minimum impact on commitment due dates. As a courtesy, the Responsible Manager and the DR Issue Lead should inform the cognizant Board staff member in advance (i.e., not later than the planned completion date for the milestone) of any planned milestone due dates that will be

missed. The Responsible Manager should provide prior written notification to the Board on the status of any Departmental commitment that will not be completed by the planned milestone date, especially those that will be missed by more than 30 days. For each commitment, this written notification should describe the reason(s) for the schedule variance from the Department's plans, current actions underway to fulfill the commitment, and an estimated completion date. If commitment completion date will be moved by a substantial period (e.g., more than 3 months) from the original commitment due date, or if the approach to fulfilling the commitment has been or needs to be changed, the Responsible Manager should obtain approval from the same authorization level that made the original commitment (i.e., the Secretary in the case of Departmental implementation plans).

- d. The Departmental Representative should monitor overall performance in fulfilling Departmental commitments to the Board and take appropriate action to focus necessary Departmental resources to resolve underlying safety issues. The Departmental Representative should prepare quarterly reports on commitment performance.

4. REVISING COMMITMENTS.

- a. The Department may revise commitments during their execution. Revisions to commitments require the same authorization as for the original commitments. For example, if the original commitment went out under a Secretarial signature, then the Secretary must approve any subsequent commitment revisions, whether in content or in due date. Outgoing correspondence to the Board that contains commitment revisions must be prepared by the Responsible Manager and must clearly identify and describe the revisions, and the basis for the revisions. Acceptable reasons for revising commitments include the following examples:
 - (1) an improved or more cost-effective method of accomplishment is identified;
 - (2) additional or supplemental actions are needed;
 - (3) commitments are no longer applicable due to a change in mission or need;
or
 - (4) schedule changes are necessary due to changes in Departmental priorities.
- b. The Responsible Manager, supported by the Departmental Representative's staff, should notify the Board staff in advance of plans to revise commitments so that the Board is aware of commitment status. The Responsible Manager may seek Board staff advice on effectively communicating the revised commitments and their basis. If desired, the cognizant Secretarial Officer and the Departmental

Representative should interface with the cognizant Board member to review proposed commitment revisions.

- c. Alternatively, the Responsible Manager may report the status of commitments to the Board as late, without revising the commitment due date. Such reports should describe the reason(s) for late completion, the current actions underway to complete the commitment, and the estimated completion date.
- d. As a general policy, Responsible Managers should revise late commitments to correctly reflect the current schedule. This is desirable for the following reasons: (1) a large list of overdue commitments reflects poorly on Department management, (2) a due date in the future is more motivating, and (3) a new due date ensures a future management review on a set schedule. Responsible Managers should make maximum effort to ensure that no outstanding commitments are over 12 months old.
- e. When commitments are revised, the revisions will be incorporated in the Safety Issues Management System in a manner similar to that described for new commitments.

5. COMPLETING COMMITMENTS.

- a. The Responsible Manager determines whether a commitment is complete. A commitment is considered complete when the Department is satisfied that commitment activities are implemented, deliverables are developed and approved, and a completion package is approved and provided to the Board. A completion package is the set of documents that provides objective evidence of completion of commitment implementing activities. If the commitment is for a briefing to the Board, a completion package is not required; the DR Issue Lead should simply record the date of the briefing in the Safety Issues Management System. The Responsible Manager must develop and transmit the completion package which must include the following items:
 - (1) the original commitment statement or suitable reference,
 - (2) a description of how the Department satisfied the commitment, and
 - (3) the identified deliverables or evidence of completion of the implementing activities.
- b. The Responsible Manager must obtain concurrence on the completion package from those Departmental elements necessary to ensure that the completed actions are consistent with the original commitment. As with other outgoing Board correspondence, the Responsible Manager must obtain concurrence from and

provide the Departmental Representative with a copy of completion package transmittals.

- c. As a courtesy, the Department reports completions to the Board. To report completion, the Responsible Manager must transmit the completion package using a letter that contains the following sentence or a similar one: “The Department has completed the actions identified under this commitment.”
- d. The Departmental Representative’s staff must update the completion status of the commitment in the Safety Issues Management System.

CHAPTER V. CORRESPONDENCE MANAGEMENT

1. INCOMING CORRESPONDENCE.

- a. Upon receipt of incoming correspondence from the Board (other than Board recommendations, which are addressed in Chapter 2), the Department addressee must verify that the Departmental Representative is on the copy list or promptly provide the Departmental Representative with a copy. The Departmental Representative must review incoming correspondence for required actions and initiate designations of responsibility, consistent with input from the affected Secretarial Officers and the Deputy Secretary. When a letter or staff issue report is addressed directly to a Secretarial Officer or field element manager, that individual must assume lead responsibility for determining whether a response to the Board is necessary and developing and coordinating that response. Responses are appropriate when the Board requests a response, or when the Department wants to clarify facts or issues associated with the incoming correspondence. For incoming letters requiring response, the Departmental Representative's staff must track the response as a deliverable in the Department's Safety Issues Management System.
- b. The following guidelines should be used in responding to incoming correspondence.
 - (1) The Responsible Manager should evaluate the implications of the information contained in the letter or staff issue report on the subject facilities and programs. Coordinating with the affected Departmental elements, the Responsible Manager should develop a coordinated response to the Board. The Departmental Representative will assist the Responsible Manager with the resolution of internal disagreements or conflicts, as requested.
 - (2) The Responsible Manager must describe commitments and noted actions contained in the response in a manner consistent with the guidance on making commitments (see Chapter IV, paragraph 2).
 - (3) The Responsible Manager must route the final version of the letter for concurrence to those organizations affected by the commitments contained in the response and to the Departmental Representative. Unless otherwise specified by the Board letter or staff issue report, the coordinated response should be transmitted to the Board within 45 days from the date of the initiating letter or receipt of the issue report.
 - (4) For responses that require more than 45 days to prepare (or require more preparation time than that specified by the Board in its information

request), the Responsible Manager should prepare and transmit a letter acknowledging receipt of the initiating letter or staff issue report, and providing the Department's plans and schedule for response.

- (5) The Board routinely transmits staff trip reports and technical issue reports to the Department, sometimes for action and sometimes for information only. Board policy is to transmit these reports to the Department if, in the Board's view, the reports contain safety information that might prove useful to the Secretary, the Department, and site contractors in their joint pursuit of safer conditions and practices at defense nuclear facilities. The Board has been most interested in conveying information that will accomplish one of the following purposes:
 - (a) stimulate line management self-assessment of questionable practices or operations;
 - (b) assist in determining the root causes of specific safety problems; or
 - (c) aid in identifying generic problems at facilities that might benefit from cross-transfer of remedial know-how from other facilities that faced similar problems.
- (6) The Responsible Manager may reject Board requests for action that are beyond compiling, analyzing, and providing existing or readily-available information, or providing information or advice on topics relevant to the Board's statutory functions (see reference 4a). In rejecting Board requests, the Responsible Manager should
 - (a) consider the extent and significance of the conditions, the underlying causes, and the cost/benefit of the requested actions and.
 - (b) discuss their concerns with the Departmental Representative who can provide additional background and advice, and may seek advice from the General Counsel if necessary.
- (7) The Department may choose to discuss the matter with the Board or its staff to fully understand such requests and the Board's technical basis.
- (8) Even when the Department rejects such requests, the Responsible Manager must provide the Board a formal reply along with the technical basis for the Department's decision. In such cases, the Responsible Manager must brief their cognizant Secretarial Officer and the Departmental Representative prior to responding to the Board.

2. OUTGOING CORRESPONDENCE.

- a. Each office and organization should take particular care in preparing and reviewing outgoing correspondence to the Board to ensure that it is complete, accurate, and consistent. To help achieve this objective, the originating organization, including field elements, must provide for review of all applicable correspondence (with the exception of responses to information requests) by the Office of the Departmental Representative prior to transmittal to the Board.
- b. The Responsible Manager must route outgoing correspondence containing commitments to the Board for concurrence to those organizations affected by the commitments and to the Departmental Representative. A copy of the outgoing correspondence and the associated signature concurrences must be established and maintained by the cognizant organization. The Departmental Representative's staff will process commitments in accordance with the Safety Issues Management System.
- c. The Responsible Manager must use the following approval guidelines to determine the minimum approval level for outgoing correspondence to the Board.

Type of Correspondence

Minimum Approval

Correspondence establishing Departmental commitments or policy, such as recommendation responses, implementation plans, responses to Board requests for action, and responses to staff issue report findings.	Addressee on Board letter or recommendation (typically, the Secretary or Secretarial Officers)
Production and delivery of existing publications, documents, and letters	Responsible Managers; points of contact; Departmental Representative

- d. The Responsible Manager—
 - (1) should address formal correspondence to the Board to the Board chair (for example, The Honorable A.J. Eggenberger, Chairman) with the salutation, "Dear Mr. Chairman."
 - (2) should provide an electronic copy of outgoing correspondence to the Office of the Departmental Representative, which will post this information on the Department's Information Archive of Board-related correspondence.
 - (3) may consult with the Board or its staff during the preparation of outgoing correspondence when there are questions about Board requests.
 - (4) should not pre-clear responses with the Board or allow the Board staff to become enmeshed in the internal drafting and review process.

3. DISTRIBUTION AND RETENTION.

- a. The Departmental Representative is responsible for the internal distribution, retention, and subsequent retrieval of incoming correspondence from the Board or its staff. To accomplish this responsibility, the Departmental Representative's staff must:
 - (1) maintain an information archive of Board-related correspondence that is accessible via the Internet;
 - (2) provide a weekly summary to interested parties; and
 - (3) provide timely and direct dissemination of Board-related correspondence that contains time-sensitive or high-interest information.
- b. The originating office must distribute outgoing correspondence to the Board. The originating office should make sure outgoing correspondence is provided to the Board on the day of its issuance, and a copy to the Departmental Representative at the same time. The Departmental Representative's staff is available and willing to make distribution of all outstanding correspondence to the Board; just call 202/586-3887.
- c. Departmental elements may acquire copies of incoming or outgoing correspondence by accessing the Information Archive on the Departmental Representative's web site (at www.deprep.org) or by contacting the Departmental Representative's office (at 202/586-3887).
- d. The Departmental Representative must review all Board-related correspondence for potential generic implications and transmit such documents to the appropriate organizations for their review. Standard distribution of Board-related correspondence by the Departmental Representative should include the Deputy Secretary, Secretarial Officers, affected field element managers, and the corresponding points of contact. The points of contact should distribute correspondence within their respective organizations.
- e. Departmental elements that develop or identify Board-related information should evaluate this information for potential generic applications to other Departmental programs and sites. Points of contact should transmit information of generic interest to the Departmental Representative, whose staff will make internal distribution of this information, as appropriate.
- f. For documents marked as Official Use Only, Unclassified Controlled Nuclear Information, or Classified, the preparing office will maintain copies of these documents for at least 2 years or until the Board issues are resolved.

4. INFORMATION ARCHIVE.

- a. The Departmental Representative must maintain the Department/Board Information Archive of documents and letters to, from, by, or relevant to the Department/Board interaction. The Information Archive is formatted for viewing on the Internet using most Internet browsers. The user may also download (i.e., save to a file) many documents within the Information Archive. Departmental personnel with questions regarding access to or contents of the Information Archive should contact the Departmental Representative's office.
- b. The following types of documents are included in the Information Archive:
 - (1) Board recommendations;
 - (2) Departmental responses and implementation plans;
 - (3) Departmental letters to the Board;
 - (4) Board letters to the Department;
 - (5) public meeting notices;
 - (6) policy statements and letters from the Secretary and the Board;
 - (7) Annual Reports to Congress from the Secretary and the Board concerning Board-related matters;
 - (8) Board technical reports;
 - (9) resumes of the Board members;
 - (10) this Manual; and
 - (11) staff issue and trip reports provided to the Department by the Board.
- c. The uniform resource locator (Internet address) for the Departmental Representative's web site is <http://www.deprep.org>.
- d. For documents marked as Official Use Only, Unclassified Controlled Nuclear Information, or Classified, these documents will not be posted on the Information Archive or maintained by the Departmental Representative. These documents will be maintained by the preparing office and should be maintained available for at least 2 years or until the Board issues are resolved.
- e. The Office of the Departmental Representative will be able to provide the contact information for the preparing office to Department personnel and contractors requesting these documents.

CHAPTER VI. OTHER COMMUNICATIONS

1. BOARD REQUESTS FOR INFORMATION. The Board and its staff frequently request information necessary to fulfill the Board's statutory responsibilities.
 - a. Requested Information. may be contained in existing documents or may need to be developed.
 - (1) Requests for information are normally made using a Board Information Request (see Attachment 5) or a formal Board letter, approved by the Chairman. If not, Departmental personnel should request completion of a Board Information Request.
 - (2) These requests may be transmitted in either hard copy or electronic format. Departmental personnel should fully cooperate with the Board and its staff in providing the requested information.
 - (3) When the Board or its staff requests classified information, Departmental personnel should request the requesting party to have the Board Information Request approved by the Board Chairman.
 - (4) The Board has agreed to have its staff provide the Department with advance notification of classified information requests several days prior to their issuance.
 - (5) The cognizant Secretarial Officer or field element manager should determine the appropriate response to Board requests where significant funds or resources are necessary to prepare new analyses, reports, or documents.
 - b. Responses to Information Requests.
 - (1) The appropriate point of contact should coordinate and transmit one copy of the requested information and/or status of requests. The point of contact should ensure that documents are reviewed for accuracy, classification, and completeness prior to transmittal.
 - (2) Various points of contact have found it helpful to develop and distribute protocols or procedures to ensure that Board information requests are fulfilled in a consistent, accurate, and timely manner.
 - (3) Normally, the point of contact should provide readily accessible information requested by the Board staff within 15 working days for unclassified requests and within 20 working days for classified requests, using Attachment 6 or other similar cover letter. The point of contact should provide the Board staff with an estimated schedule for documents

that cannot be readily provided. To ensure that responses are consistent with the expectations of the Board staff, the point of contact is encouraged to communicate directly with the requesting Board staff member as necessary for clarification and confirmation.

- (4) The Secretary may deny access to information for only two reasons:
 - (a) the person requesting the information has not been granted an appropriate security clearance or access authorization by the Secretary or
 - (b) the person requesting the information does not need such access in connection with assigned duties (see reference 4a).
- (5) If Department personnel receive a Board request for information that appears to be on topics that are outside the purview of the Board, such as weapons design information that is not relevant to weapons assembly, disassembly, and transportation, the personnel should raise this concern to the Departmental Representative. When such concerns are raised, the Departmental Representative will—
 - (a) review the request,
 - (b) solicit additional information that may be needed from the Board to understand the request,
 - (c) solicit guidance from the General Counsel if needed, and
 - (d) provide advice regarding whether this request must be honored.
- (6) Decisions to reject such requests require the concurrence of the applicable DOE senior managers, including at least the affected Secretarial Officer and the Departmental Representative. If the Department decides not to honor such requests, the Departmental Representative will notify the Board and provide the basis for the Department's decision.
- (7) The Department and the Office of Personnel Management have established routine uses under the Privacy Act to permit disclosure of personnel and radiation exposure documents maintained in certain systems of records to the Board. Thus, the Department may transmit these records to the Board in accordance with the Privacy Act when the Board deems that the records are necessary to satisfy the Board's statutory obligations (see reference 4c). To the extent possible, Department personnel should attempt to provide redacted personnel and radiation exposure records if this will satisfy the Board's request.

- (8) The point of contact must ensure that classified and sensitive unclassified documents are clearly marked in accordance with security procedures (See DOE O 471.2A, *Information Security Program*, and DOE CG-SS-4, *Safeguards and Security Classification Guide*).
- (9) The “Official Use Only” (OUO) marking should be used where appropriate to protect proprietary information, source selection information, personal privacy information, and other sensitive information not for public release. The appropriate category of OUO information should be identified in accordance with CG-SS-4 from the following options: Circumvention of Statute, Statutory Exemption, Commercial/Proprietary, Deliberative Process, Personal Privacy, and Law Enforcement. The front marking of an OUO document must contain the following statement, using one of the above categories, at the bottom of the document:

*OFFICIAL USE ONLY, Contains Information. Department
of Energy approval required prior to public release.*

Each page must be marked top and bottom with the statement
“Official Use Only.”

- (10) The point of contact should
 - (a) maintain a record of information provided to the Board or Board staff for 3 years or until no longer needed,
 - (b) maintain either copies of the transmitted information or the location of that information,
 - (c) establish appropriate record retention schedules consistent with this Manual and the controlling direction from the Department and the National Archives and Records Administration (NARA).

c. On-site Requests for Information to the Field Element Point of Contact.

- (1) The field element point of contact must ensure that Board representatives (including the Board or its staff) have unencumbered access to view information or documents during the course of on-site assessments, inspections, or tours within their purview.
- (2) If information is requested by the Board or its staff for off-site use or retention, the field element point of contact must ensure the documents are processed properly and expeditiously as described above. A completed Board Information Request (see Attachment 5 for sample format) may be used to serve both as a record of closure that information was provided

while on site, and for historical tracking of information that the site has provided to the Board and its staff.

- (3) When practical, the field element point of contact should arrange for the materials to be processed prior to the departure of Board representatives from the site. Presentation materials and handouts that have been reviewed for classification and provided to Board representatives as part of a formal briefing do not require a formal request.

d. Requests for In-process or Draft Documentation.

- (1) The Board and its staff have the right to access any Departmental or contractor information that is necessary to allow them to perform their authorized review functions and responsibilities (see reference 4a).
- (2) The cognizant point of contact should handle requests for in-process or draft documentation with special care and on a case-by-case basis. In some cases, drafts are highly conceptual, immature, and have not been reviewed or endorsed by Departmental management. In other cases, drafts may be highly detailed, very mature, and represent the best current Departmental documentation of the salient issues and analysis. In the former cases, providing these documents without a full characterization of their maturity may result in confusion and unnecessary interaction between the Department and the Board to address topics that have not yet evolved to a final Departmental position. In the latter cases, providing these documents to the Board staff is often productive and useful because access to these documents is needed for the Board staff to perform their duties and the documentation is representative of the Department's current position.
- (3) In general, documents of a technical nature that have been approved by appropriate DOE or contractor managers should be shared with the Board upon request, even when a final DOE technical decision has not been made. However, it is often counterproductive to share documents that are in the process of being developed because these documents are subject to change before they are approved.
- (4) Understanding the Department's responsibilities for "ready access," the cognizant manager should clearly characterize the status of in-process or draft documentation whenever it is requested or provided. If the cognizant manager has clearly characterized the status of the requested documentation and the Board requestor still maintains that the documentation is necessary to facilitate performance of assigned duties, the point of contact should provide the requested documentation along with the characterization of its status. In this manner, the Board requestor

can obtain a clear understanding of the quality of the requested documentation and can use it appropriately.

- (5) In cases where the requested draft information may generate unproductive, follow-on requests from the Board staff, the Department personnel should notify their management and the Departmental Representative that the requested information has been provided to the Board and clearly characterized.
- (6) Department personnel should not allow the Board staff to become enmeshed in the Department's internal processes for reviewing and finalizing documents, and making decisions based on internal recommendations. Departmental draft and in-process documents that contain pre-decisional deliberative material related to policy decisions, strategic decisions, or management decisions, may be withheld to preserve appropriate separation between the Board and the Department. In cases where the Board requests such documents, the cognizant manager should notify the Departmental Representative to obtain advice. When such concerns are raised, the Departmental Representative will review the request, solicit additional information that may be needed from the Board to understand the request, solicit guidance from the General Counsel if needed, and provide advice regarding whether this request must be honored. It may be possible to provide the Board with technical excerpts of requested documents to satisfy the Board's needs for relevant technical information or data about existing standards, events, or conditions. Decisions to reject such requests require the concurrence of the applicable DOE senior managers, including at least the affected Secretarial Officer and the Departmental Representative. If the Department decides not to honor such requests, the Departmental Representative will notify the Board and provide the basis for the Department's decision.

e. Formal Reporting Requirements.

- (1) The Board may establish reporting requirements for the Secretary which are binding upon the Secretary pursuant to 42 U.S.C. 2286b(d). Board reporting requirements are usually made in written correspondence; these requests do not require a Board Information Request (see Attachment 5 for sample format).
- (2) The information the Board requires the Secretary to report may include any information designated as classified information, or any information designated as safeguards information and protected from disclosure (see reference 4a).
- (3) The Board typically specifies a due date for the required reports. Departmental elements that receive these reporting requirements must

comply with the requested schedule. In extraordinary cases, when the Department requires more time than allotted by the Board, the Responsible Manager should prepare and transmit a letter acknowledging receipt of the initiating letter, and providing the Department's plans and schedule for response. If the Board does not provide a requested reporting date, the Responsible Manager should prepare and transmit a letter to the Board within 10 days which acknowledges receipt of the Board's reporting requirements and provides the Department's plans to respond.

- (4) Board contacts with the Departmental and contractor staff pursuant to investigative authority authorized by statute (see reference 4a) and subsequent requests for or access to information or documents are exempt from using the information request and response guidance provided in this Manual.
- (5) Based on Department experience, development of timely and responsive reports generally requires the following steps:
 - (a) Assignment. The Departmental Representative should determine the responsible Departmental element for preparing the response. The Departmental Representative or DR Issue Lead should inform the Executive Secretary of the assigned Departmental Office that will fulfill the Board reporting requirements. The Departmental Representative should also provide the Executive Secretary with the name of the Responsible Manager within that office or site.
 - (b) First Meeting. The Responsible Manager should conduct a meeting of representatives of organizations (response team members) with access to information necessary for an acceptable report. The Responsible Manager should create a list of tasks needed to gather the facts that will form the technical basis of the report. The Responsible Manager should assign an accountable person for completing each necessary task. The Responsible Manager should obtain an agreement from the response team members for a follow-up meeting to collect and review the results of the assigned tasks.
 - (c) Follow-Up. The Responsible Manager accepts the outputs created by the tasks and formulates the first draft of the report. The Responsible Manager may schedule additional follow-up meetings, as needed, with persons executing tasks. A follow-up meeting may create additional tasks and assignments. Tasks need to conclude before the approval cycle begins.
 - (d) First Draft Report. The Responsible Manager should forward a draft report to the response team members, and the DR Issue Lead.

The Responsible Manager may forward a copy to the cognizant Board staff member to make sure it reflects an accurate understanding of the Board's request.

- (e) Feedback. The response team members should provide the Responsible Manager with any feedback on the draft report. The Responsible Manager should determine the disposition of the comments provided. More draft and review cycles may be set up by the Responsible Manager, as needed and as time permits. The Responsible Manager is accountable for the factual accuracy of the final report.
- (f) Begin Signature Cycle. The Responsible Manager should provide the draft report, which incorporates comments received, to each of the organizations either affected by or involved in the report.
- (g) Obtain Concurrence. Representatives of each affected or involved organization should determine whether their organization concurs with the draft report and provide their concurrence determination along with any contingent corrections.
- (h) Submit for Final Approval. The Responsible Manager should submit the response, in format ready for transmittal to the Board, to the Departmental Office with the authority to issue the requested report. When the signature authority is in the Secretarial Office, the Departmental Representative should assist in obtaining the final approval.

<u>Complete Step</u>	<u>30 Days</u>	<u>60 Days</u>	<u>90 Days</u>	<u>General</u>
Assignment	3	3	3	3
First Meeting	7	7	7	7
Follow-Up	As time permits	As time permits	As time permits	As time permits
First Draft	16	30	60	DD - 30
Feedback	18	33	63	DD - 27
Begin Signature Cycle	19	46	76	DD - 14
Obtain Concurrence	20	50	80	DD - 10
Submit for Final Approval	23	53	83	DD - 7
Final Approval	30	60	90	Due Date

- (6) Final Approval. The Responsible Manager should ensure that either the requested report or a missed-date explanation letter is approved and provided to the Board by the report due date. The schedule for completing

each of the above steps is a function of the due date. The following table, based on report due dates, should be used as a guide to ensure reports are completed on time.

- (7) If the Responsible Manager determines that the report due date cannot be met, the Responsible Manager must notify the Departmental Representative. This missed-due-date notification should be provided to the Departmental Representative no later than 7 days before the report is due to the Board. The Departmental Representative should review and confirm this determination. When the due date cannot be met, the Responsible Manager should create a letter to the Board explaining the circumstances of the missed date, and an expected completion date. The Responsible Manager should ensure that the delay letter is delivered to the Board on or before the original report due date.
- (8) The Responsible Manager may reject Board reporting requirements after consultation with the Departmental Representative, if these requirements exceed the Board's statutory authority (see reference 4a). For example—
 - (a) Reporting requirements that call for the Department to perform corrective actions or commit to perform future actions may exceed the Board's statutory authority.
 - (b) Reporting requirements that call for compiling, analyzing, and reporting existing or readily-available information, or call for the Department to provide information or advice relevant to the Board's statutory functions are within the Board's statutory authority.
- (9) In evaluating Board requests that appear to go beyond the Board's statutory authority, the Responsible Manager should consider the extent and significance of the conditions, the underlying causes, current Department plans for related actions, and the cost/benefit of the requested actions. The Responsible Manager should discuss their concerns with the Departmental Representative who can provide additional background and advice, and will seek advice from the General Counsel as needed.
- (10) The Department may choose to discuss the matter with the Board or its staff to fully understand such requests and the Board's technical basis. Even when the Department rejects such requests, the Responsible Manager must provide the Board a formal reply within the requested time frame, along with the technical basis for the Department's decision. In such cases, the Responsible Manager must brief their cognizant Secretarial Officer and the Departmental Representative prior to responding to the Board.

f. Standing Request for Departmental Evaluations and Assessments.

- (1) The Board has a standing request for the Department to provide it with copies of routinely developed reports in the health and safety areas for Departmental defense nuclear facilities. This may include, but is not limited to, the following documents:
 - (a) Environment, Safety, and Health Oversight Reports, such as Safety Management Evaluations;
 - (b) Technical Safety Appraisals;
 - (c) Operational Readiness Reviews/Readiness Assessments;
 - (d) Self-assessment documents (Headquarters and field), limited to final Departmental reports or procedures;
 - (e) Rules/Orders/Standards development activities applicable to defense nuclear facilities;
 - (f) Radiological evaluations, limited to final reports from formal Departmental contractor assessments; and
 - (g) Five-Year Plans, such as final issuance of Environment, Safety, and Health Management Plans.
- (2) Managers responsible for preparing these reports should send copies to their points of contact for transmittal to the Board staff with a copy of the transmittal letter to the Departmental Representative. Departmental organizations may establish internal procedures to ensure that the applicable evaluations and assessments are identified and routed in accordance with this section. In addition to forwarding reports, the Department may also brief the Board on routine evaluations and assessments.

2. PUBLIC MEETINGS AND OTHER FORMAL BOARD MEETINGS. Public hearings, public meetings, and other formal Board meetings are consistent with authorities granted under the Board's enabling statute (see reference 4a).

a. Coordination, Preparation, and Participation.

- (1) The Departmental Representative or a designated point of contact should serve as the Departmental lead for coordinating the Department's participation in meetings with the Board members. Coordination responsibilities include ensuring the following:

- (a) appropriate participants are selected (with sufficient technical knowledge, accomplished presentation skills, and of appropriate organizational position);
 - (b) the participants are adequately prepared;
 - (c) a consensus is reached prior to the meeting to the extent possible on major technical or policy issues that are identified as the subjects of the meeting;
 - (d) the views presented as the Department's views will indeed represent those adopted by the responsible Department managers, or else these views will be clearly identified as opinions of specific individuals; and
 - (e) the information provided is responsive to the Board's needs.
- (2) Requests from the Board members for meetings with the Department are routinely made through the Departmental Representative. Other Departmental elements that receive such requests from the Board or its staff must immediately notify the Departmental Representative and the appropriate point of contact.
- (3) Requests by Departmental elements for meetings with Board members must be made through the appropriate point of contact, who must coordinate with the Departmental Representative. Departmental elements initiating or participating in meetings with the Board members must keep the Departmental Representative informed of the schedule and content of the meetings. Departmental personnel should use the Briefing Request format (see Attachment 4 for sample format) for such requests. The Departmental Representative's staff will provide the latest version of this form upon request.

b. Internal Notice of Meetings.

- (1) The designated Departmental lead for meetings with the Board should prepare and distribute a written notice containing a meeting agenda. The agenda information should be developed by the designated Departmental lead for the meeting through discussions with the lead Board staff member for the meeting and with Departmental organizations expected to support the meeting. If the schedule or agenda requested by the Board cannot be accommodated, the Departmental lead should resolve any issues or conflicts with the lead Board staff member. The Departmental lead should provide a notice and agenda which include the following information:
- (a) the date, time, and location of the meeting;

- (b) the subject of the meeting;
 - (c) the Board and key Board staff participants;
 - (d) the Departmental lead and other participants, including contractor participants;
 - (e) specific topics to be discussed; and
 - (f) other special requirements, as applicable.
 - (2) The Departmental lead should distribute the notice to the cognizant Secretarial Officer, the Departmental Representative, affected field element managers, and affected points of contact. The Departmental Representative's office should make any additional internal distribution determined to be necessary to ensure that interested parties are notified of the meeting in advance.
 - (3) If changes in the schedule or agenda topics arise after the notice is issued, the designated Departmental lead should modify and redistribute the notice. If there is insufficient advance notice of a substantive change in the schedule or agenda to reissue the notice, the Departmental lead should contact the affected participants to advise them of the changes as soon as possible.
- c. Notice to the Board of Expected Meeting Attendees. The Departmental Representative should provide the Board staff with advance notice of the expected meeting attendees for meetings at the Board's facilities. This allows the Board and its staff to ensure the proper Board representation and meeting arrangements. The cognizant manager or associated points of contact should assist the Departmental Representative in developing an accurate list of expected attendees.
- d. Documentation of Meeting Results.
- (1) As needed to communicate the results of the meeting, the designated Departmental lead should promptly prepare a meeting summary, using the Board's transcript, if available. This summary should include the following information:
 - (a) the names and titles of individuals involved;
 - (b) significant conditions, observations, or issues identified by the Board;
 - (c) a description of Departmental action items; and
 - (d) the responsible organization and due date for each action item.

- (2) The Departmental lead should achieve agreement with affected parties on the action items and associated responsibilities and due dates prior to issuing the meeting summary. Approval authority for action items is established either by the actions being within the normal realm of responsibility for that position or by specific delegation of that responsibility from the cognizant Departmental manager. These action items need to be satisfied to maintain an effective working relationship with the Board; they should be tracked and managed at the Departmental level where the action items are undertaken.
 - (3) The Departmental Representative's office should distribute the summary as necessary to ensure that affected parties are apprized of the meeting results. The Departmental Representative's office should also distribute the meeting transcript to interested parties within the Department.
- e. Price-Anderson Enforcement Process. The Board has no official mandate for involvement in or review of the Department's Price-Anderson Enforcement Process. However, the Board does have legitimate jurisdictional interest in both the safety issues and circumstances that prompted any enforcement actions. The Board also has jurisdictional interest in the extent of corrective actions taken to address any safety issues or deficiencies. When requested, Department personnel should discuss with the Board and its staff the safety aspects of any enforcement action. Discussion of the enforcement aspects of these actions, such as the basis for the fine amount, is not within the Board's mandate.

3. BRIEFINGS, DISCUSSIONS, TELEPHONE COMMUNICATIONS, AND OTHER INFORMAL INTERACTIONS.

- a. Departmental personnel contacted by the Board or its staff must cooperate with the Board and provide requested information. Departmental personnel should be courteous, open, honest, and responsive. Departmental personnel should be mindful of their organizational authority and not agree to take actions outside their immediate level of authority.
- b. For discussion of complex issues, Departmental personnel should request prior notification and scheduling to allow adequate preparation of a mutually agreeable agenda and briefing materials. Prior notification and scheduling allows both parties to be prepared and improves the quality of communications.
- c. Departmental personnel should handle briefings and discussions with members of the Board or its staff in a similar manner to that described for formal meetings with the Board (see section 2 of this chapter). The Departmental lead for the interaction is the senior manager with responsibility for the issues being discussed. The Departmental lead should notify the affected Departmental points of contact, the Departmental Representative's office, and any other affected Departmental personnel, and provide information about the time, place, and

content of the interaction. The Departmental lead should reach agreement with the Board staff lead on the agenda, expectations, and participants. The Departmental lead should provide feedback on substantive information and actions discussed to the affected organizations and the Departmental Representative. The Departmental lead should identify any resultant action items, responsibilities, and due dates and provide tracking and follow-up of these items through to their completion.

- d. Subsequent to any informal discussions or interactions, Departmental elements must notify the appropriate point of contact of the substantive information and actions discussed. The Departmental Representative, in conjunction with the point of contact, should evaluate the information, request the individual to submit a written summary if the information is of wider interest, and distribute the information to interested parties.
- e. The Departmental Representative and/or a program office representative should attend discussions between the Board and the Department's contractors. Contractors are required to notify the Department when such discussions are scheduled.

4. PERIODIC BOARD BRIEFINGS BY SENIOR MANAGERS.

- a. Senior Department managers should periodically brief the Board on their safety activities and solicit the Board's input and advice.
- b. Points of contact should solicit the Board's input on briefing topics at least one week prior to such periodic briefings.

CHAPTER VII. SITE INTERFACES

1. PREPARATION FOR SITE VISITS.

a. Schedules and Visit Plans.

- (1) The Departmental Representative should coordinate with the Board and its staff, to the extent possible, in long-range scheduling of planned site visits (exclusive of those pursuant to formal investigations) and should publish weekly updates of visit plans for the Department's use.
- (2) The Departmental Representative should obtain input from Secretarial Officers and field element managers regarding site schedules and facility conditions for use in coordination of site visit scheduling with the Board staff.
- (3) The Departmental Representative's office should provide copies of the schedules and plans to Secretarial Officers and points of contact.

b. Board/Board Staff Requests for Site Visit.

- (1) The request for a visit to a facility is normally made by the Board or its staff with the appropriate field element point of contact. The field element point of contact must inform the Departmental Representative and the appropriate Secretarial Officer point(s) of contact and Program Manager(s) of the request. If the Board or Board staff's request is made directly to Headquarters or others, the cognizant Departmental staff member should inform and coordinate with the appropriate Field element point of contact.
- (2) The Departmental Representative should ensure prompt distribution of the Board/Board staff requests for site visits. The objective is to ensure that affected Departmental elements receive as much advance notice as possible. The Departmental Representative's office or the field element point of contact should distribute additional visit information and a detailed agenda as it becomes available.
- (3) The field element point of contact should work with the requesting parties to understand the topics being reviewed and to establish an appropriate site visit agenda. If the topics or areas had recently been reviewed by other Board representatives, the field element point of contact should raise this fact with the requesting parties and understand how the information to be reviewed will be new or different from that which was reviewed previously. The field element point of contact should endeavor to obtain a preliminary agenda or lines of inquiry to develop a preliminary agenda 4-6

weeks prior to the site visit. Early transfer of the preliminary agenda topics is necessary to facilitate site visit planning.

c. Responsibilities for Site Visit Preparation, Coordination and Conduct.

- (1) The cognizant field element point of contact must prepare, coordinate, and conduct Departmental activities to support site visits. The cognizant field element point of contact should ensure:
 - (a) local facility resources including tour escorts, operational and technical expertise, and a schedule of facility activities for the duration of the site visit are provided;
 - (b) appropriate communication and responsiveness to requests by the Board or its staff during the visit are provided; and
 - (c) affected managers, Secretarial Officer points of contact, Secretarial Officer Program Manager(s) and participants are kept informed of changes in the schedule or agenda.
- (2) The Secretarial Officer point of contact should work with the field element point of contact to coordinate the involvement of Headquarters and field personnel within their organizations in preparation for and conduct of the site visit.

d. Internal Notice of Site Visits.

- (1) The field element point of contact should ensure a visit agenda is prepared and distributed to affected personnel. The agenda should provide:
 - (a) the name of the facility(ies) or site to be visited;
 - (b) arrival and departure dates;
 - (c) dates, times, and locations of briefings and presentations;
 - (d) names of the Board participants;
 - (e) purpose of visit, including buildings and programs to be reviewed;
 - (f) topics to be discussed; and
 - (g) Departmental and contractor participants.
- (2) The field element point of contact and affected Departmental organizations should develop agenda information through discussions with the lead Board staff member for the visit. If the schedule or agenda requested by the Board cannot be accommodated, the field element point

of contact, in coordination with affected Departmental organizations, should resolve any issues or conflicts with the lead Board staff member.

- (3) If changes in the schedule or agenda topics arise, the field element point of contact should modify and redistribute the agenda. If there is insufficient advance notice of a substantive change in the schedule or agenda to reissue the notice, the field element point of contact should contact the affected participants to alert them of the changes as soon as possible.
- e. Site Access Coordination. The field element point of contact must coordinate security and safety requirements for the Board visitors, including badging, safety instruction, general employee training, escorts, transportation and dosimetry. To the extent allowed by local procedures and programs, allowance should be made for training and access requirements completed at other Departmental facilities.
- f. Access to Subject Matter Experts. The field element manager, in coordination with the field element point of contact, must arrange for the availability of Departmental and contractor subject matter experts for potential discussions with the Board and its staff, consistent with the schedule and agenda topics.

2. SITE VISIT PROTOCOL.

- a. Entrance Briefings. The field element manager should request the opportunity to hold an entrance briefing with the Board representatives. The entrance briefing should introduce key personnel, review the planned activities and schedule, identify protocols and procedures that will be used, and discuss any special arrangements that have been or need to be made. If an entrance briefing is held, the point of contact should ensure that appropriate field element officials and management representatives from the contractor are notified to attend. As a minimum, the field element point of contact should meet with the Board representatives upon their arrival at the site.
- b. Facility Tours. The field element point of contact should coordinate conduct of requested facility or area tours. To the extent any unannounced tours can be accommodated, Departmental personnel should assist the Board representatives in this matter. The field element point of contact should be notified of any such requests for unannounced tours. The field element point of contact must ensure that appropriate access requirements, such as those related to security, safety, and radiation protection, are satisfied for the areas to be toured, whether the tour is announced or unannounced, before beginning the tour.
- c. Document Reviews.
 - (1) The Department must provide the Board with access to information necessary for the Board to accomplish its statutory duties. The Secretary may deny access to such information for only two reasons:

- (a) the person requesting the information has not been granted an appropriate security clearance or access authorization by the Secretary, or
 - (b) the person requesting the information does not need such access in connection with the duties of such person (see reference 4a).
- (2) The field element point of contact should coordinate arrangements for the availability of such documents as may be requested by the Board or its staff for review. Departmental personnel should accommodate, to the extent possible, each request made prior to or during the site visit for documents or other information required by the Board representatives (see Chapter VI, paragraph 1b). Departmental personnel should encourage the Board representatives to use a completed Board Information Request (see Attachment 5 for sample format), approved by a member of the Board or its staff.
- (3) The field element point of contact should determine prior to the visit whether classified materials will be reviewed by the Board staff during their visit and verify with the Board's Technical Director that the Board staff members have appropriate clearance and need to know. If the Board staff requests additional classified information beyond the pre-established scope, the field element point of contact should verify with the Board's Technical Director that this requested information is necessary for the Board to accomplish its statutory purposes. If difficulties emerge in the process of verifying the Board staff member's need to know, the field element point of contact should advise the Departmental Representative.

d. Site Visit Briefings.

- (1) The field element point of contact should serve as the Departmental lead for site visit briefings. The briefings should be coordinated and conducted in the same manner as described in Chapter VI, subparagraph 2a.
- (2) Notice and documentation of site visit briefings are performed as a part of the site visit process in lieu of Chapter VI, paragraphs 2b and 2d. Additional briefings requested during the site visit should be accommodated by the field element point of contact to the extent possible.
- (3) The Board or its staff may also request to attend Departmental and contractor briefings. These requests generally will be accommodated, consistent with the Department's responsibilities for full cooperation and ready access. The Board or Board staff may be involved in the Department's decision-making process as observers, not as participants, to the extent that their involvement is necessary for the performance of their

review duties and is in the interest of the Department for facilitating efficient Board review.

e. Personnel Interviews.

- (1) Departmental personnel contacted by the Board or its staff must cooperate with the Board and provide requested information. Departmental personnel should be courteous, open, honest, and responsive. Departmental personnel should be mindful of their organizational authority and not agree to take actions outside their immediate level of authority. Subsequent to the interaction, the Departmental personnel should report the substance of the interaction to the field element point of contact.
- (2) Departmental and contractor personnel, such as control room operators, who are directly performing safety-related functions must request Board representatives to schedule interviews at mutually convenient times when safety-related duties cannot be compromised.

f. Potential or Actual Unsafe Conditions.

- (1) If Board representatives identify any potential or actual unsafe condition, Departmental and/or contractor personnel must immediately evaluate the condition and implement the applicable approved facility procedures, if necessary, to place the facility or activity in a safe condition.
- (2) The field element point of contact should inform the cognizant Secretarial Officer and the Departmental Representative of the concern as soon as practical.
- (3) The field element point of contact should coordinate a response to the Board representative who originally identified the issue within an appropriate amount of time. The field element point of contact should take the initiative to inform the appropriate Board representative of significant occurrences, particularly those related to topical areas the Board or its staff has been or is investigating. The field element points of contact are encouraged to perform as a continuing source of information on site activities for the Board staff lead and site representative for that facility.

g. Exit Briefings. Field element representatives should request the opportunity to hold an exit briefing with the Board representatives. The exit briefing should include a discussion of significant conditions, observations, and issues identified during the visit and reach consensus on follow-up Departmental information transmittals and action items. When exit briefings are held, appropriate field element officials and management representatives from the contractor should be present.

h. Visit Summaries.

- (1) The field element point of contact should prepare a visit summary, which includes the following information:
 - (a) the names and titles of individuals involved,
 - (b) significant conditions, observations, or issues identified during the visit,
 - (c) a description of Departmental action items, and
 - (d) the responsible organization and due date for each action item.
- (2) Departmental action items require approval by an authorized Departmental official. Approval authority for action items is established either by the actions being within the normal realm of responsibility for that position or by specific delegation of that responsibility from the cognizant Departmental manager. These action items need to be satisfied to maintain an effective working relationship with the Board and prevent follow-on action-forcing interactions from the Board; they should be tracked and managed at the Departmental level where the action items are undertaken.
- (3) The field element point of contact should transmit the visit summary to the affected Secretarial Officer points of contact and the Departmental Representative whenever the site visit has implications beyond the specific site that was visited. The Departmental Representative's office should make additional distribution within the Department to ensure appropriate parties are apprized of the results.
- (4) The Departmental Representative's staff should periodically interact with the Board staff after site visits to verify follow-up actions are fully identified and to receive significant comments and observations. The Departmental Representative's staff should also share this information with the affected parties. The Departmental Representative's staff should facilitate communications and interaction among the various field element points of contact to ensure all are cognizant of emerging Board issues and priorities.

- i. Extended Site Visits. The point of contact should arrange for periodic progress briefings between Department's site management and the Board representative during extended site visits lasting more than 5 days. Daily de-briefs during extended site visits have proven to be an effective means to ensure that the Department promptly addresses Board concerns and requests for information during the course of a site visit. Summaries of significant issues discussed in the

progress briefings should be documented and promptly distributed to affected Departmental elements.

3. INTERFACE AT FACILITIES WITH BOARD SITE REPRESENTATIVES.

- a. The field element point of contact must facilitate the on-site interface activities of the dedicated on-site Board representatives (also known as site representatives). This facilitating role includes the following responsibilities:
 - (1) scheduling interviews and other review activities with affected facility personnel,
 - (2) providing access to facilities and personnel,
 - (3) identifying and resolving any difficulties getting information or cooperation,
 - (4) notifying the Board site representative of significant site activities and occurrences, and
 - (5) providing for distribution of routine information, such as facility operational status, to the Board site representative.
- b. The field element manager should establish the policy regarding use of Board Information Requests (see Attachment 5 for sample format) for requests by the local Board site representatives. Recommended policy is that documents and information requested and used by the Board site representatives on site does not require use of the Board Information Requests. However, transmittal of documents and information to other Board representatives or off-site should be accompanied by documentation on a Board Information Request.
- c. To ensure full cooperation, the field element point of contact should frequently interact with the on-site Board representative to discuss the status of Board-related issues.
- d. The field element manager should periodically review Board-related issues with the Board site representative, along with the point of contact. If applicable to other sites, the field element point of contact should prepare and transmit a summary of such periodic reviews to the Secretarial Officer and the Departmental Representative.

CHAPTER VIII. FACILITATING BOARD REVIEW OF DOE DIRECTIVES AND STANDARDS

1. SCOPE OF STANDARDS FOR BOARD REVIEW.

- a. The Board is required by its enabling legislation (see reference 4a) to “review and evaluate the content and implementation of the standards relating to the design, construction, operation, and decommissioning of defense nuclear facilities of the Department of Energy (including all applicable Department of Energy orders, regulations, and requirements) at each Department of Energy defense nuclear facility. The Board shall recommend to the Secretary of Energy those specific measures that should be adopted to ensure that public health and safety are adequately protected. The Board shall include in its recommendations necessary changes in the content and implementation of such standards, as well as matters on which additional data or additional research is needed.”
- b. The Department’s long-standing practice is to provide the Board with the opportunity to review its safety standards prior to their issuance. This practice is efficient in that it allows the Department to resolve Board comments during the process of issuance rather than at a subsequent time. This practice also allows the Department to take advantage of the Board’s advice and expertise in this area.
- c. The scope of Department standards related to safety at defense nuclear facilities that must be provided to the Board includes the following:
 - (1) Policies, Orders, Notices, Manuals, and Guides .
 - (2) Technical standards and handbooks, particularly those referenced and invoked in directives related to safety; for example, STD-1063-2006, *Facility Representatives*.
 - (3) Rules such as 10 CFR 830, Subpart B, Nuclear Safety Management, Safety Basis Requirements.
 - (4) Acquisition requirements such as 48 CFR 970.5204-2, DOE Acquisition Regulation Laws, Regulations, and DOE Directives Clause.
 - (5) NNSA Policy Letters or NNSA supplemental directives.
- d. The applicable scope includes new safety standards, major and minor revisions to safety standards, and cancellations of safety standards.
- e. For each type of directive or standard identified in the paragraph above, Departmental processes and protocols exist for the development, review, revision, issuance, and cancellation of the directives or standards. The process owners of these processes (such as the Office of Management for the Departmental

directives) should make sure that the associated processes or protocols include provisions for Board review.

- f. The Departmental Representative will maintain a list of directives and standards of interest to the Board, and make this available on the Departmental Representative's web-site (www.deprep.org).

2. BOARD REVIEW PROCESS.

- a. Personnel preparing changes to safety standards identified in the preceding section must notify the Office of the Departmental Representative when these standards are ready for internal DOE concurrence review. For directives, the Office of Management will provide this notification in accordance with the directive process (see DOE O 251.1A, *Directives System*, and DOE M 251.1-1A, *Directives System Manual*).
- b. For standards that have been revised, the responsible preparer must provide the Departmental Representative with a redline markup of the previous version to facilitate the Board's review. In addition, experience has shown that the responsible preparer should also provide a cross-walk of requirements if one is available or can be prepared without significant burden. Such crosswalks are frequently found to be useful to preparers to make sure no requirements have been inadvertently left out.
- c. The Departmental Representative will provide a copy of the safety standards, along with redline markup copies and crosswalks, to the Board staff for review. The Departmental Representative will establish a due date for Board comments so that Board comments will be received concurrently with internal Department comments. The Departmental Representative will notify the responsible preparer as well as the process owner (for example, the Office of Management for safety directives) of applicable letters to and from the Board.
- d. The Departmental Representative will notify the responsible preparer and process owner of interim status if the Board is not able to meet its requested review due date.
- e. When Board comments are received, the Departmental Representative will notify the responsible preparer and process owner, and provide the Board's comments.
- f. Upon notification, the responsible preparer must provide dispositions for the Board's comments, indicating which comments are accepted and which are rejected, the basis for the Department's disposition, and the planned changes to the standard. The responsible preparer must provide a revised version of the standard for the Board's review that incorporates dispositions for the Board's comments as well as dispositions for internal Department comments. The responsible preparer may request a discussion with the Board staff to better understand the Board's comments and their technical basis. The responsible

preparer shall notify the Departmental Representative of any such discussion and may request the Departmental Representative to arrange such discussions.

- g. The Board will review the Department's dispositions and indicate whether its comments are adequately resolved. The Departmental Representative will notify the responsible preparer and process owner of the Board's review, and provide the Board's comments. If all Board comments are satisfactorily resolved, the Board's practice is to provide an "all-clear" letter, indicating that the Board has no concerns with the Department's issuance of the subject safety standard.
- h. If the Board comments are not resolved, the responsible preparer must decide whether to continue to attempt to resolve the Board's comments or whether to move forward with issuance of the safety standard, despite known Board concerns. To move forward may invite the Board to provide the Department with formal correspondence reiterating the Board's position. The responsible preparer must obtain concurrence from the responsible Secretarial Officer and the Departmental Representative to move forward with issuance of the safety standard with open Board comments. Prior to issuing new safety standards, the process owner must confirm that the Board's comments are adequately resolved or the Department's senior management, as represented by the responsible Secretarial Officer and the Departmental Representative, has agreed to move forward without fully resolving the Board's comments.
- i. Process owners should make sure their processes and protocols are consistent with the Board review steps described above.

CHAPTER IX. ANNUAL REPORT TO CONGRESS

1. The Secretary must submit an Annual Report to Congress on Departmental activities in response to Board activities each year at the same time the President submits the budget to Congress (see reference 4a). The President historically submits the budget to Congress ten working days following the President's State of the Union address (i.e., during the first week of February).
2. The Departmental Representative's office must prepare the Annual Report. Responsible Managers must provide the Departmental Representative with a status update on Department's actions in response to active Board recommendations. The Secretarial Officers, in conjunction with the points of contact, should provide technical input and concurrence review.
3. The Annual Report to Congress will include the Board-related activities of the Department during the previous year. The Departmental Representative should address the following topics in the report based on actual activities for the year:
 - a. introduction (areas of Board emphasis, recommendations issued);
 - b. Departmental initiatives;
 - c. status of current year and previous year recommendations and implementation plans;
 - d. progress in areas of Board emphasis; and
 - e. notification of implementation plans in excess of 1 year.
4. For each active Board recommendation, if the implementation plan has not been or is not expected to be complete within 1 year of plan issuance, the Annual Report should be used by the Responsible Manager to notify Congress that more than 1 year will be required for plan implementation. The notification must state the reasons for the requiring more than 1 year to complete and the date when implementation is expected to be completed (see reference 4a).
5. Points of contact should be prepared to provide a summary of their organization's activities related to the Board, particularly those related to implementation plans, reporting requirements, site visits, major safety initiatives and accomplishments, success stories, and overall evaluation of safety. The Departmental Representative will provide an annual data call and schedule to solicit input from points of contact, Responsible Managers, and other affected persons and organizations.

CHAPTER X. INTERFACE TRAINING

1. The Departmental Representative must ensure that appropriate Board interface training and assistance are available to Department's personnel.
2. The Departmental Representative, in coordination with the respective Secretarial Officers and field element managers, should determine the preparation for, formality, extent, conduct, and documentation of such training.
3. Each Secretarial Officer and field element manager should develop and maintain a list of candidates for Board interface training and make personnel available for training during scheduled sessions.

CONTRACTOR REQUIREMENTS DOCUMENT

Regardless of the performer of the work, the contractor is responsible for complying with the requirements of this Contractor Requirements Document (CRD) and flowing down CRD requirements to subcontractors at any tier to the extent necessary to ensure contractor compliance.

As directed by the contracting officer, the contractor must meet the following requirements. .

1. Assign Board Coordinators to ensure adequate interface with their Departmental points of contact on Board-related matters, including the following, as requested by their local Departmental point of contact:
 - a. Represent their company on day-to-day Board-related issues and interactions with the Departmental point of contact on Board-related matters.
 - b. Be cognizant of, and coordinate, day-to-day Board-related activities as requested by their local Departmental point of contact, such as:
 - (1) arranging briefings and coordinating site visits by the Board and its staff, as requested by the Department,
 - (2) coordinating contractor input, developing draft deliverables, and formulating proposed responses for resolution of Board-related issues, as requested by the Department,
 - (3) conducting activities consistent with Departmental commitments that are contained in approved implementation plans and other formal Departmental correspondence to the Board,
 - (4) providing 30-day advance notice to the Departmental point of contact of any schedule slippages in planned contractor deliverables related to Departmental commitments to the Board, and
 - (5) providing completion documentation for Departmental commitments, as requested by the Department.
 - c. Establish training and procedures necessary for clear communications of the contractor requirements contained in this Manual.
2. Notify their Departmental counterparts and the field element point of contact of any planned or proposed briefings or direct contact with the Board members or the Board's staff.
3. Obtain approval from the authorized Departmental official before committing to completion of actions to the Board or its staff.

4. Have a mechanism in place to expeditiously review and release contractor documents to support the Departmental target of providing existing information to the Board within 15 working days of request.
5. Contractor personnel contacted by the Board or its staff have the following responsibilities:
 - a. be courteous;
 - b. be open, honest, and responsive;
 - c. agree to no action items outside their immediate level of authority; and
 - d. subsequent to any informal discussions and interactions, notify the appropriate point of contact of the interaction, and describe any substantive information and actions discussed.
6. Provide a representative at any entrance or exit briefings arranged for a site visit by Board representatives and prepare briefing minutes, as requested by the Department.
7. Comply with the personnel interview process and procedures implemented by Board representatives during a site visit in a manner that does not compromise safety. Contractors should direct their personnel who ~~are~~ directly performing safety-related functions, such as control room operators, to request that interviews be scheduled at mutually convenient times when safety-related duties cannot be compromised.
8. If Board representatives identify any perceived or actual unsafe condition, immediately evaluate the condition and implement the applicable approved facility procedures, if necessary, to place the facility or activity in a safe condition.

RESPONSE TO RECOMMENDATION GUIDELINES

This attachment provides the activities and schedule milestones of a systematic process for responding to Board recommendations. It may be used as a checklist to ensure response development is on target (schedule targets are from publication of the Board recommendation in the *Federal Register*). The target dates and durations establish an appropriate pace to complete the necessary activities within the required time frames.

Within 2 Days of Receipt

Following receipt of a Board recommendation, the Departmental Representative will notify the affected Secretarial Offices and their points of contact and will initiate the response process described below. The Departmental Representative's staff will distribute the Board recommendation to Secretarial Officers, their points of contact, field elements, and other affected Departmental elements, as appropriate. The Departmental Representative will identify a member of the office staff as DR Issue Lead to support coordination of the recommendation response.

Days 1-14

These activities are necessary to initiate the evaluation process:

- identify the Responsible Manager;
- identify the response team;
- assign preliminary team tasks and responsibilities;
- identify significant safety issues associated with the recommendation;
- identify underlying causes and implications of these safety issues;
- determine the extent and significance of the conditions reported;
- develop alternatives for resolving the safety issues; and
- establish recommended courses of action.

The cognizant Secretarial Officer must identify the Responsible Manager who will manage the response as well as manage development and implementation of the associated implementation plan. The Departmental Representative should inform the Executive Secretariat of the cognizant Secretarial Officer and designated Responsible Manager within 14 days of receipt of the recommendation.

The Responsible Manager, assisted by the DR Issue Lead, will develop an agenda and call a meeting with the designated representatives of the affected Departmental elements. These individuals (the response team) must be empowered to represent their management throughout

the evaluation of the recommendation, the development of the Department's response and implementation plan, and the actual plan implementation, if necessary.

The Responsible Manager, the DR Issue Lead, and the response team should ensure the following features that the Board considers key are demonstrated in the Department's response: (1) an understanding of what is being asked or recommended; (2) a commitment by the Department to take action to meet the recommendation; (3) the name of the Responsible Manager; and (4) specifications of what the Department intends to do so that the Board can determine whether material terms of the recommendation will be met.

Throughout the evaluation process, the DR Issue Lead should provide guidance and support to the Responsible Manager and the cognizant Secretarial Officer, including performance of the following actions:

- coordinate actions agreed to by the affected parties;
- distribute key documents, comments, and agendas;
- disseminate requests pertaining to the recommendation; and
- facilitate communications between the Department and the Board staff.

Day 14

The Responsible Manager and the DR Issue Lead should work together to document the Departmental strategy and identify significant issues, actions, milestones, and responsibilities necessary to develop an acceptable response. The DR Issue Lead should distribute this information to affected organizations. The Responsible Manager should also make an initial assessment of the need for a 45 day extension request.

Days 14-25

The response team should complete a detailed evaluation of the Board recommendation, which includes consideration of the following:

- technical evaluation of the Board's recommendation, including identification of safety issues, underlying causes, and the extent and significance of condition;
- ongoing and planned Department activities;
- applicability and substantive strategic input;
- schedule, cost, and funding for implementation;
- possible impacts to DOE mission work; and
- need and availability of specialized resources for implementation.

Affected organizations should transmit their evaluations and strategic input to the Responsible Manager within the time frame requested. Response team members and points of contact should coordinate these inputs from within their respective organizations. To develop the best response, affected Departmental line managers should consider contractor/laboratory comments, but should validate this input, ensuring its applicability, and verifying cost and time estimates.

The Responsible Manager should work with the DR Issue Lead to ensure plans and actions are responsive to the Board's recommendation. For clarification or guidance on the meaning or intent of any part of the recommendation, the DR Issue Lead should provide the necessary liaison with the Board staff, and the Departmental Representative should provide liaison with the Board.

Day 25

In conjunction with the Departmental Representative, the Responsible Manager should develop an agenda and schedule a meeting with the senior management team (affected Secretarial Officers) to present the recommended Departmental position. The agenda should include discussion of the Responsible Manager's estimate of the associated costs and contribution to safety.

The senior management team, chaired by the Deputy Secretary, is composed of organizations that have direct line responsibility or significant involvement in activities encompassed by the Department's response, and typically includes the following Senior Managers:

- Under Secretary for Energy,
- Under Secretary for Nuclear Security,
- Deputy Administrator for Defense Programs,
- Director, Security and Safety Performance Assurance,
- Assistant Secretary for Environment, Safety and Health,
- Assistant Secretary for Environmental Management,
- General Counsel, and
- Appropriate field managers.

Some recommendations may require one or more of the following additional individuals to participate with the senior management team:

- Chief Financial Officer,
- Assistant Secretary for Energy Efficiency and Renewable Energy,
- Assistant Secretary for Fossil Energy,
- Director, Office of Management,
- Assistant Secretary for Nuclear Energy,
- Deputy Administrator for Defense Nuclear Nonproliferation,

- Assistant Secretary for Policy and International Affairs, and
- Under Secretary for Science.

If consensus is not expected within 5 days of the senior management team meeting, the senior management team should consider requesting from the Board up to a 45-day extension to transmit the Department's response. The Responsible Manager, supported by the DR Issue Lead, must prepare and coordinate this request.

Follow-up actions for the two possible outcomes from the senior management team meeting (i.e., consensus or not consensus) are described below.

Outcome 1: Senior Team Reaches Consensus on Agency Position

Day 28

The Responsible Manager finalizes the response and with the assistance of the DR Issue Lead delivers the response to the affected Departmental elements for concurrence. Response team members and points of contact should assist in acquiring the appropriate concurrence within their respective organizations.

Day 32

The Responsible Manager submits the response to the cognizant Secretarial Officer for approval and ensures that it is delivered to the Executive Secretariat for processing.

Day 39

Secretary approves the response to the Board. This completes the response actions. Follow-up actions are described at the end of this attachment.

Outcome 2: Senior Team Does Not Reach Consensus on Agency Position

Day 26

The Deputy Secretary should provide guidance and direction to the cognizant Secretarial Officer and Departmental Representative relative to resolution of the issues and conflicts.

Days 27-31

Affected Departmental elements will negotiate and attempt to agree on a position.

Day 32

The senior management team should meet a second time for the purpose of arriving at an agency position.

If the Senior Team Agrees On An Agency Position

Day 35

With the assistance of the DR Issue Lead, the Responsible Manager prepares and delivers the response to the affected Departmental elements for concurrence. Response team members and points of contact should assist in acquiring the appropriate concurrence within their respective organizations.

Day 38

The Responsible Manager will submit the response to the cognizant Secretarial Officer for approval and ensure that it is delivered to Executive Secretariat for processing.

Day 45

Secretary approves the response to the Board. This completes the response actions. Follow-up actions are described at the end of this attachment.

In Rare Cases When The Senior Team Still Does Not Agree On An Agency Position

Day 33

The Departmental Representative should contact the Executive Secretariat to advise of the need to escalate the response for Departmental senior management decision. The senior management team should brief the Deputy Secretary on the remaining material facts preventing development of a unified Departmental position. The Deputy Secretary will then render a decision.

Day 36

In extraordinary cases requiring the Secretary's participation to achieve consensus, the Deputy Secretary should brief the Secretary on the material facts preventing development of a unified Departmental position. The Assistant Secretary for Environment, Safety and Health, the cognizant Secretarial Officer, and the Departmental Representative should support this briefing, as appropriate. The Secretary will then render a decision.

Day 39

The cognizant Secretarial Officer prepares the response and delivers the response to the Executive Secretariat for processing.

Day 45

Secretary approves the response to the Board. This completes the response actions. Follow-up actions are described below.

Follow-up Actions

These follow-up actions described below should be taken based on the response:

1. If the response **accepts** all or part of the recommendation, the Responsible Manager, supported by the DR Issue Lead, should complete development of the associated implementation plan (in accordance with Chapter III, paragraph 1 of this Manual).
2. If the response **rejects** all or part of the recommendation, the Board may revise or reaffirm its recommendation. Following receipt of the Board's response, the Responsible Manager, supported by the DR Issue Lead, should prepare the Department's final decision (in accordance with Chapter II, paragraph 5 of this Manual).

FORMAT AND CONTENT GUIDE FOR IMPLEMENTATION PLANS

I. Purpose

This guidance incorporates experience gained and lessons learned from developing and completing implementation plans, in response to Board recommendations, over many years; helps to focus Departmental resources on preparing complete, effective implementation plans which improve safety and provide a clear path to completion; provides for consistency of plan format and contents to permit efficient review and use; and addresses the Board's identified criteria for judging the adequacy of implementation plans.

The technical content is the primary measure of an effective plan; this guidance should help focus development of that technical content. This guidance should also aid Departmental personnel in developing implementation plans that cogently and clearly communicate their technical content. Much of this guidance will be applicable for all implementation plans. However, the subjects of implementation plans can differ significantly, and, in some cases, exceptions and additions to the recommended format and content may be appropriate and necessary on a case-by-case basis.

II. Board Criteria

Board Policy Statement No. 1, "Criteria for Judging the Adequacy of Department Responses and Implementation Plans for Board Recommendations," October 19, 1990, identifies the following six substantive criteria that must be satisfied before the Board judges an implementation plan to be adequate.

1. Understanding. The Department's implementation plan shows an understanding of the safety issues raised by the Board recommendation.
2. Responsiveness. The Department's planned course of action addresses the elements of the Board recommendation that the Secretary accepted, and accomplishes satisfactory resolution of the identified safety issues and their causes.
3. Assumptions. The Department identifies important baseline assumptions for successful plan implementation.
4. Planning Detail. The Department's implementation plan is described in sufficient detail to permit the Board to independently determine that the approach and schedule are reasonable and achievable.
5. Technical Basis. The Department's plan is based on sound technical evaluation, including identification and resolution of underlying causes.

6. Focus on Closure. The Department's plan defines completion deliverables for demonstrating safety issue resolution in a verifiable manner.

In addition to the substantive criteria, the Board Policy Statement No. 1 also identifies five procedural requirements for implementation plans: (1) plan transmittal meets statutory deadlines; (2) plan provides a realistic and achievable schedule which includes intermediary milestones; (3) plan includes a process for change control of plan itself; (4) plan addresses quality assurance, if appropriate; and (5) plan provides a reporting scheme and schedule.

III. Format and Content

Implementation plans are written for four key audiences: Departmental personnel/contractors, the Board and its staff, Congress; and the public. Departmental personnel and contractors will implement the actions described; they need sufficient detail on the scope, schedule, and basis of planned actions so that implementation will be effective and efficient. The Board and its staff will review the Department's plan for adequacy, monitor the plan implementation, and ultimately close out their recommendation based on completion of actions described in the plan. Congress and the public are notified of all Board recommendations and often follows the Department's plans to ensure their safety interests are satisfied. The format and content described below are designed to satisfy all four audiences. Each implementation plan should contain the following contents in the format described below.

Title Page

The title page should include the Department's plan title, the plan date, the plan revision number (if not original), and Board recommendation number. The title should be a Departmental title, demonstrating Departmental ownership of the plan. For example, the plan title could be "Department of Energy Plan for Improving the Technical Capability in Defense Nuclear Facilities Programs and Training and Qualifications," and the title page might include beneath this title, "(Implementation Plan for DNFSB Recommendation 93-3)."

Executive Summary

The executive summary should summarize: (1) the relevant safety issues, (2) their underlying causes, (3) the resolution approach and schedule, (4) the management approach to ensure plan implementation, and (5) any baseline assumptions critical to successful implementation. If initiation of safety issue resolution is urgent for safety reasons, this summary should highlight key completed and near-term actions.

Table of Contents

The table of contents should include the contents defined in this guidance, in the order described below. The section headings and section numbering provided below should be

adopted to ensure that implementation plans are in a consistent format, permitting ease of review and use.

1. Background

This background section should demonstrate an understanding of the problem(s) being addressed. It should provide a clear statement of the safety issues and their significance as determined by the Department's analysis of the problem. The implementation plan should be consistent with the approach described in the Secretary's response letter to the Board's recommendation. In particular, if the Department has set any conditions or limitations on its acceptance of the recommendation, these should be reiterated.

The background section should identify and briefly describe the principal safety issues addressed by the plan. These may be derived directly from the Board's recommendation, from a synthesis or combination of the various Board sub-recommendations, or from the Department's own analysis and implementation planning. The safety issues represent the Department's template to organize and structure implementation actions. Remaining sections of the implementation plan should be structured based on the identified safety issues.

2. Underlying Causes

This section should identify the underlying cause(s) of the subject safety issues, so that it is clear why the planned actions are appropriate. The underlying cause(s) can only be arrived at by understanding and evaluating the direct causes of any technical problems and then identifying the underlying causes that allowed the situation to occur. Underlying cause(s) may relate to hardware performance or capabilities, operation procedures, management controls, personnel performance, and management performance. With these causes identified, the broader implications, beyond the identified situation, should be fully considered in developing a complete and effective resolution approach.

Underlying causes that relate to other Departmental implementation plans in progress should be identified. The extent to which these other plans contribute to the resolution of the subject recommendation's safety issues should also be described.

3. Baseline Assumptions

This section should present the primary assumptions, if any, upon which the implementation planning has been based. These may include engineering, technical, administrative, or legislative assumptions. For example, the following categories of baseline assumptions may be relevant: availability of general or specialized personnel resources, availability of unique or specialized expertise, hardware or system performance, availability of specialized equipment or parts, legal or statutory requirements, successful completion of precursor activities in

other programs, satisfactory progress of necessary research and development efforts, availability of sufficient approved funding in the type and amount needed, impact of scope changes or expansions on schedule performance, and impacts to DOE missions. The plan should describe each real and relevant assumption in sufficient detail to allow understanding of potential impact (e.g., what specifically? how many? how much? how long? of what type? how likely?). It is important to fully identify the real and relevant assumptions that may potentially impact successful plan implementation.

4. Summary of Completed and Near-Term Actions

This section should describe mitigating actions that are already complete. The purpose of describing key completed actions is to demonstrate responsiveness during the period between issuance of the Board recommendation and completion of the Department's implementation plan. It may be beneficial to mention the parties involved in plan preparation to show that: (1) the Departmental organizations, including field representatives, that are necessary for successful implementation were involved in the planning process, and (2) there will be a smooth transition from plan preparation to plan implementation. Near-term actions identified in the Secretary's response letter should be included in this section.

In some cases, for safety issues that involve a strong sense of urgency or that will require an extended period to achieve resolution, the Department should describe important near-term initiatives and compensatory actions that will be implemented no later than 6 months, for example, after plan issuance to reduce safety risks associated with the recommendation. These will also demonstrate the Department's commitment to bring the identified safety issues to final resolution. Near-term actions should be extracted and summarized from the full description of planned actions, presented in section 5, Safety Issue Resolution.

5. Safety Issue Resolution

This is the main section of the implementation plan and should be structured using the Department's identified safety issues, with one section subheading for each issue. As an alternative, this section can be structured by the sub-recommendations contained in the Board's recommendation. Under each subheading, the following structure should be provided: Issue Description; Board Recommendation; Resolution Approach; and Deliverables/Milestones.

Issue Description. The issue description should consist of a summary restatement of the problem, why the problem needs to be addressed, and how addressing the problem will provide a specific safety improvement for the Department. Description of safety improvement objectives should show consistency with overall Departmental safety objectives.

Board Recommendation. After the Department's issue description, the text of the original Board recommendation that is pertinent to the issue should be quoted verbatim. The purpose of repeating the Board's recommendation is so that the reader may easily correlate the Department's plan to the Board's recommendation and demonstrate that the plan is responsive. The portion that should be repeated in the body of the implementation plan is the text of the recommendation itself (i.e., the numbered sub-recommendations), rather than the introductory and contextual material. The entire text of the Board recommendation may be included as an attachment to the plan if desired.

Resolution Approach. The resolution approach needs to provide: (1) a specific description of the Department's intended course of action that is clear, tangible, and concise, and (2) sufficient detail so that one may independently determine whether the approach is reasonable and achievable. This section should specifically describe the safety improvements and how they will be achieved. For example, the resolution approach should not consist of a plan to make a plan or a plan to do an assessment to make a plan. Any changes in equipment, process, procedures, and/or personnel should be discussed in terms of their impact on safety. Where it is absolutely necessary to perform some prior action before the final scope of the resolution actions can be determined, the resolution approach should describe the specific process and criteria that will be used to make these determinations.

Resolution of an issue (i.e., completion of all actions identified in the implementation plan) should result in tangible improvement to safety within the Departmental defense nuclear facilities complex. If possible, the resolution scope should be established based on the goal of completion within 1 year of plan issuance. To accomplish this goal, the resolution focus may need to be on gaining substantive control of an issue rather than closing all loose ends. For example, issue resolution may need to be defined in the implementation plan as developing training and conducting initial sessions, rather than as completing training of all Departmental personnel and performing a follow-up evaluation. The goal of resolution within 1 year, based on the expectations of Congress in establishing the Board, should be strictly pursued for recommendations that are narrowly focused and affect only one site and one Headquarters office. Recommendations that involve major systemic changes, multiple Headquarters offices, and multiple sites can require more than 1 year for resolution. Exceptions to the 1 year goal should be carefully considered.

As part of this discussion, the technical basis for the selected approach should be provided. This technical basis should demonstrate that the Department has performed a reasonable, logical, and, if possible, quantifiable technical evaluation of the problems and solutions and should address the underlying causes described in section 2, Underlying Causes. A strong technical basis is particularly important for resolution approaches that are experimental or unprecedented, or differ from the approaches favored by the Board.

The resolution approach should be consistent with the Secretary's response letter to the Board's recommendation and should reiterate any conditions or limitations on the Department's acceptance of the recommendation, along with supporting bases. Where credit is taken for implementation actions described in other Departmental programs or implementation plans, this should be identified; the implementation plan should not establish new commitments and commitment dates for other ongoing implementation plans in response to Board recommendations.

The resolution approach should identify those actions necessary for full and final resolution of the identified safety issues, and validation that the corrective actions are effective. The resolution approach should encompass those actions necessary to prevent recurrence by addressing the underlying causes. The resolution approach should encompass those actions necessary to effectively institutionalize the issue resolution actions so that the Department senior managers can have confidence that the resolutions will remain in place.

Deliverables/Milestones. The plan must clearly provide a method for demonstrating completion in a manner that can be readily verified. Commitment deliverables should be tied to plan milestones, readily verifiable, and transmittable to the Board for review. The plan should demonstrate a focus on completion; the resolution actions and schedule should not be open-ended. For example, rather than defining the resolution scope and institutionalization actions through an ongoing process, such as through periodic reports to the Board, the plan should establish a firm structure and path for achieving completion. The plan should also reflect a systems engineering approach for resolving the issue that methodically defines the entire effort, from inception to completion, for achieving the identified safety improvement.

In describing intermediary deliverables or commitments, the plan should establish only that number needed to measure performance of the planned resolution approach. Frequently, further definition of intermediary actions is needed to fully describe and measure accomplishment of a commitment. These intermediary actions should not be identified as unique commitments, but may be noted as actions contributing to commitment completion. For example, completion of a committee evaluation could include the following noted actions, if appropriate: forming the committee, preparing the charter, developing the evaluation procedure, conducting the evaluation, preparing a draft report, resolving comments, and preparing a final report. Only those actions considered critical to successful completion of the commitment should be identified and described.

The following information should be provided for each commitment: (1) a complete statement of the commitment; (2) the manager responsible for implementation; (3) the facilities and programs to which it applies; (4) the implementation activities and deliverables that will constitute completion; and (5) the specific due date (such as December 15, 2005) for completion. In addition, to

facilitate commitment tracking, each commitment should be uniquely and sequentially numbered. Due dates should correlate to the date for the Department to provide completed deliverables to the Board.

The schedule should be realistic and achievable, and reflect the results of a representative resource-loaded schedule and cost estimate (see discussion on stand-alone attachment on resource-loaded schedule and cost estimate). Intermediary deliverables and milestones should provide meaningful measures of accomplishment toward final issue resolution.

6. Organization and Management

This section describes how the Department will organize and manage implementation of the plan. The cognizant Secretarial Officer and Responsible Manager need to be clearly identified along with their functions, authorities, and responsibilities for successful plan implementation. To ensure plan performance, strong consideration should be given to establishing a central project manager who has broad, cross-organizational authorities. To the extent possible, single line authority should be established for plan implementation. If useful, a figure describing the organizational structure for plan implementation should be provided.

This section should also describe specific management systems and controls the Department will use to accomplish planned deliverables on the committed schedule. For example, this section might include a discussion of action item tracking and monitoring, including use of and interface with the Department's Safety Issues Management System. Methods for holding personnel and organizations accountable for their performance should also be described, particularly where personnel and organizations responsible for portions of the plan performance do not report directly to the Responsible Manager. Management controls over funding and budget allocation should be described. The following management systems should be addressed specifically.

Change Control. Each implementation plan must include a description of its change control process. The following paragraph is recommended to be used for all plans.

“Complex, long-range plans require sufficient flexibility to accommodate changes in commitments, actions, or completion dates that may be necessary due to additional information, improvements, or changes in baseline assumptions. The Department's policy is to (1) provide prior, written notification to the Board on the status of any implementation plan commitment that will not be completed by the planned milestone date, (2) have the Secretary approve all revisions to the scope and schedule of plan commitments, and (3) clearly identify and describe the revisions and basis for the revisions. Fundamental changes to the plan's strategy, scope, or

schedule will be provided to the Board through formal revision and reissuance of the implementation plan. Other changes to the scope or schedule of planned commitments will be formally transmitted in appropriate correspondence approved by the Secretary, along with the basis for the changes and appropriate corrective actions.”

Reporting. Each implementation plan must include a description of its reporting scheme and schedule. Acceptable means of reporting include periodic briefings and periodic progress reports. Briefings have proven to be more effective than written reports. The frequency of these periodic briefings or reports depends on the total scope and schedule of planned actions. Historically, many plans have offered a quarterly reporting frequency. Less frequent reporting, such as on a semi-annual or annual basis, is appropriate where the plan milestones are few and spread out, or the effort is winding down to completion. The following sample paragraph addresses reporting.

“To ensure that the various Departmental implementing elements and the Board remain informed of the status of plan implementation, the Department’s policy is to provide periodic progress reports until implementation plan commitments are completed. For this plan, the Department will provide quarterly briefings to the Board, within 1 month of the close of each quarter during plan implementation. Quarters will coincide with the calendar and fiscal year quarters: January-March, April-June, July-September, and October-December.”

Progress reports may be used to report minor schedule variances to plan commitments, but not to make changes to planned commitment dates, unless approved by the Secretary. For example, if commitment completion will be delayed by several weeks from the committed due date, this variance should be reported in the periodic progress report. The report of a schedule variance acknowledges that the commitment is overdue and provides current status information, but does not seek to adjust or change the established schedule. Progress reports should not be used to make changes to plan commitments.

Quality Assurance. In appropriate cases, the plan should specify how quality of the planned actions will be ensured. Quality assurance may include qualification of people involved; internal checks on the implementation as the task is completed; final verification; independent oversight; and chain of custody on records, samples, and other critical data and documentation.

Attachments to Implementation Plan (Optional)

Glossary. The glossary should define terms used in the implementation plan that are unique, unusual, or of a highly technical nature that would not be commonly understood.

Acronyms and Abbreviations. This attachment should identify and define all acronyms and abbreviations used in the implementation plan. A minimum number of acronyms and abbreviations enhances general understanding and readability of the plan.

References. This attachment provides bibliographic information for all documents referenced in the implementation plan.

Summary of Commitments. This attachment lists all Departmental commitments established in the implementation plan. Inclusion of this attachment may be useful to delineate in summary fashion the complete scope of commitments that the Department considers are made by section 5 of the plan. If used, this information should be presented in the same format that will be employed to report status in the periodic progress reports. The following should be provided for each commitment: (1) statement of commitment, (2) Responsible Manager, (3) applicable facilities and programs, (4) completion deliverable(s), and (5) due date.

Summary Schedule. This attachment provides a top-level summary time line that shows the start and end dates of resolution activities for each safety issue. Lower-level schedule summaries may also be necessary to provide an overview understanding of the scope and relationship between major activities.

Crosswalk to Board Recommendation. When the Department has structured the issues in a different manner than portrayed in the Board's recommendation, this attachment should be used to provide a matrix showing that the recommendation is fully addressed. If necessary, the matrix should provide and include the following headings: Board sub-recommendation, Departmental issue, Plan references, and Discussion.

Stand-Alone Attachment: Resource-Loaded Schedule and Cost Estimate

To ensure that the planned scope and schedule are realistic and achievable, each implementation plan should be submitted for Departmental management review and approval along with a separate, stand-alone attachment that provides a resource-loaded plan schedule and cost estimate and describes the Departmental funding to support committed actions. The attachment should also identify the critical path activities on the integrated schedule. The cost estimate should be sufficiently accurate (i.e., rough order of magnitude) to permit the Department to evaluate the cost/benefit of these safety improvements. More detailed attention should be given to complex activities that involve installation or operation of equipment or accomplishment of multiple, dependent activities. The desired degree of accuracy for this planning cost estimate is minus 50 percent to plus 100 percent (see DOE G 430.1-1, COST ESTIMATING GUIDE, dated 3-28-97).

The resource-loaded schedule should identify what types of resources are needed, when they are needed, how long they are needed, and the total amount of each resource type needed. Budget requirements should include personnel resources by type, contract resources, and capital equipment and expenditures. Resource summaries should be

provided by year (e.g., for each fiscal year) and by organizational unit (e.g., responsible Headquarters organization, field element, primary contractor, specialty contractors, supporting Departmental organizations, etc.). This document should also identify the source of identified budget funds and the type of funding (e.g., capital or operating budget). Where funding needs to be appropriated by Congress, the amounts, schedules, and organizations requesting funding should be identified.

IV. Presentation Tone and Style

The overall tone of the implementation plan should demonstrate the Department's ownership of the identified safety issues. To show ownership, the Department needs to assess the identified problem area independently, perform its own analysis of the underlying safety issues and causes, reach its own conclusions regarding issue significance, and develop an effective approach for issue resolution. The implementation plan is the Department's plan for resolving the identified safety issues, not just a mechanism for responding to the Board's recommendation.

The plan should be clear and concise. *Executive Secretariat Style Guide*, prepared by the Office of the Executive Secretariat, is a useful tool to help in the preparation of effective, well-written materials (available on the Internet at <http://www.mbe.doe.gov/execsec/styleguideoctfin.pdf>). A review by a technical editor should be considered. Figures should be included where possible to demonstrate understanding of the safety issues and causes, to illustrate resolution approaches and schedules, and to show management structure and controls. The use of "will" statements should be carefully limited. Every "will" statement could be interpreted as an explicit or implied commitment. Where a commitment is not intended, alternate word choice should be selected.

**SAMPLE BRIEFING REQUEST FORMAT
FOR DEFENSE NUCLEAR FACILITIES SAFETY BOARD**

REQUEST FOR BOARD MEMBER INTERACTION OR BRIEFING
DEFENSE NUCLEAR FACILITIES SAFETY BOARD
625 Indiana Avenue NW, Suite 700
Washington, DC 20004
202-694-7080

Date: _____ DNFSB Contact: _____ Phone Number: _____

Requested by: _____ Phone Number: _____

Subject: _____

Briefing Date: _____ Time: _____ Duration: _____

Location: _____
8th Floor Board Room Other than 8th Floor Board Room

Classified: Yes _____ No _____

Board Members Requested:

Eggenberger _____ Bader _____
Mansfield _____

DNFSB Staff Participants: _____ Outside Participants (DOE, SRS, etc.): _____

SAMPLE BOARD INFORMATION REQUEST FORMAT

Page ____ of ____

To: Department of Energy point of contact, Facility

From: Lead Board Representative (Print/Signature)

Received by: Department of Energy or Contractor Representative (Print/Signature)

[illegible]

INFORMATION REQUEST RESPONSE SAMPLE FORMAT

Date:

To: Chairman, Defense Nuclear Facilities Safety Board

From: Department of Energy Point of Contact (Print/Signature)

Subject: Board Information Request

Reference: Information Request, dated _____

The above-referenced Information Request provided a list of information requested from the Department of Energy by the Board or its staff. The requested information is forwarded except as noted below (can be handwritten).

- a. The following requested items contain classified information or sensitive unclassified information. They will not be forwarded until a need-to-know is confirmed by the Board Technical Director. *(list item numbers from referenced Information Request)*

- b. Item numbers of information to be provided at a later date. *(list item numbers from referenced Information Request, reasons for delay, and expected delivery date)*

Comments or amplifying information.

If you have any questions, please contact. *(list name and phone number)*